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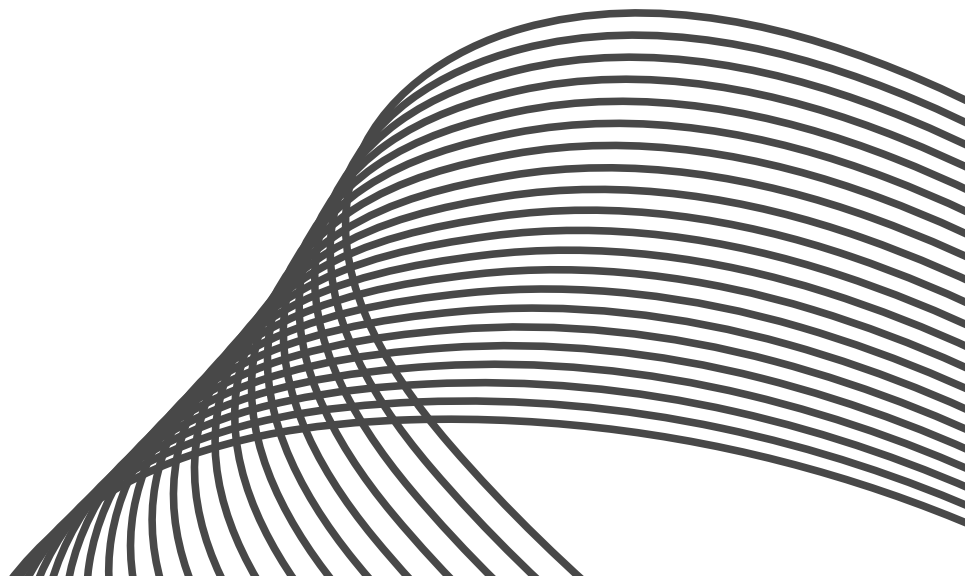
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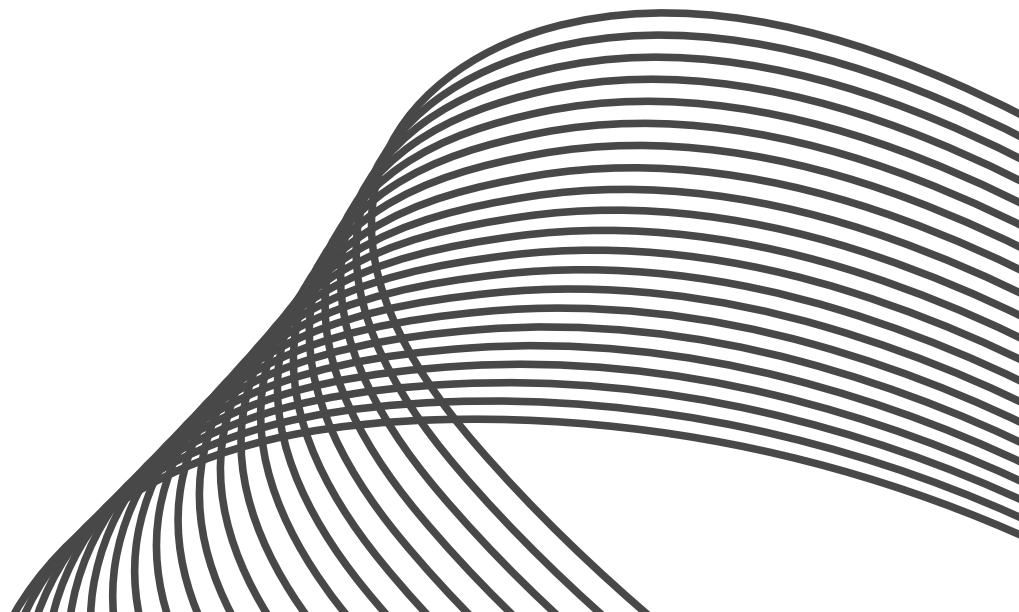


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FOSTERING SOCIALLY CONSCIOUS LEGAL EDUCATION: CULTIVATING A PRO BONO ETHOS FOR ENHANCED ACCESS TO JUSTICE IN INDIA

~ Adrija Bairagi¹

Abstract

India, a socialist nation, is committed to promoting equality and dignity for its citizens. However, the legal system is not transparent, and many individuals lack the funds to appoint high-quality advocates, leading to a lack of justice. Pro bono services, which are offered by legal experts at no cost to those unable to afford regular representation, play a crucial role in addressing socio-economic disparities. These cases cover topics such as land conflicts, domestic abuse, civil rights, and underprivileged rights. The Bar Council of India created the Pro Bono Legal Services Rule to provide free legal assistance. Despite progress, issues such as lack of funding and education persist in this field. The introduction of a pro bono culture into legal education is essential for this development. Legal institutions can instil a dedication to applying legal knowledge for humanity by incorporating voluntary service into their academic programs. This research paper analyses these instincts and identifies the causes that hinder pro bono works, providing recommendations and critical evaluations.

Keywords

Access to Justice, Constitution of India, Pro Bono, Article 21, Legal Assistance, Civil Rights.

¹ You may contact the author at the following email address: adrjabairagi@gmail.com.

INTRODUCTION

Pro bono, or voluntary legal assistance for the underprivileged and other economically disadvantaged individuals, is a concept and practice that is becoming more and more prevalent in the judicial systems all over the world². Maintaining equal opportunities for everyone to access justice includes getting rid of hindrances like financial constraints, insufficient legal counsel, and structural inequities. A robust as well as comprehensive legal system can result in more than just ensuring and respecting legal rights for everyone. It also bolsters a just and democratic groundwork for a community. The right to equality before the law along with the protection of every individual is ensured by the Constitution of India in Article 14³. However, in reality, financial variation is an obstacle to lawful redress. The definition of the term 'justice' states the attempt to settle a dispute without being swayed. Fairness and objectivity are the two main components of justice. It demonstrates the notion that everyone should have equal access to the legal system; thus, the knowledge that all liberties are retained without regard for scarcity, animosity, or other barriers. In other words, it influences the rule of law, societal cohesiveness, and capacity to uphold human rights⁴. Article 39A of the Constitution of India further mandates to provision of equal justice and free legal aid. It is included in Part IV (Directive Principles of State Policy) as per the 42nd Amendment, which declares that the state must ensure that law enforcement accords fairness to each and every citizen⁵. The Bar Council of India created the Pro Bono Legal Services Rule, which highlighted their determination to provide those in need with free legal assistance. The level of trust and judgment by the public in the legal system improves as accessibility makes it more available to ordinary people. It integrates humanity. The socio-economic restrictions for accessing justice, can hinder equal representation and prevent most people from wholly participating in the justice system. Numerous individuals lack the financial resources to enable them to access adequate legal services or take legal action. Even people who cannot afford it, need to pay such legal expenses, court fees, and other associated expenses, which are sometimes prohibitively

² Cummings S and Rhode D, 'Managing Pro Bono: Doing Well by Doing Better' [2010] Fordham Law Review

³ Pandey JN, 'Right to Equality', *Constitutional Law of India* (57th edn, Central Law Agency 2020)

⁴ Gupta DrKL, 'Case Study on Pro Bono Legal Aid Programme of Gujarat National Law University, Gandhinagar' [2017] National Seminar on Access to Justice: Right to Legal Aid & Legal Services in India

⁵ Bhatia G, 'Directive Principles of State Policy: Theory and Practice' [2014] Oxford Handbook for the Indian Constitution, Oxford University Press, 2015, Forthcoming

expensive⁶. Additionally, lack of education and awareness contribute to unequal access to justice for the people. Individuals with poor financial resources may not have knowledge about or comprehend their legal privileges and entitlements, so they cannot effectively access justice. It can be observed that the people with affluent wealth hire superior counsels and on the other side, the comparatively needy people only get public defenders who are already overburdened with their jobs. Such circumstantial issues result in improper distribution of justice. There remains a shortage of funds for legal aid programs and a lack of knowledge about available options, and obstacles in the legal system that tend to favour the ones with wealth. All these features make it hard to bridge the gap in access to justice. Originating from the Latin phrase "pro bono publico," which translates to "for the public good," pro bono practice refers to the practice of attorneys and legal professionals providing their assistance at no cost to those who cannot afford it⁷. These scenarios include a variety of subjects, such as civil rights, domestic violence, land conflicts, and the rights of people in poverty. With a vast population and diverse socioeconomic backgrounds, as in India, many people struggle to afford legal representation⁸. This realization has led to a collective effort by legal professionals, law firms, and organizations to bridge the justice gap through pro bono work. This research typically operates and investigates the systematic display of pro bono culture.

RESEARCH QUESTIONS

The questions that arise in the context of understanding the social relevance of legal education to nurture pro bono culture for improved way towards justice are as follows:

- RQ1. How are legal knowledge and pro bono factors being concomitant to each other?
- RQ2. How is pro bono culture relevant as a tool for social change and promoting justice?
- RQ3. What is the importance and effect of inculcating pro bono culture in legal education?
- RQ4. What are the relevant measures that can be adopted in legal education to eradicate the problem?

RESEARCH METHODOLOGY

A purposive sampling survey was conducted on thirty passed-out legal professionals, keeping their identity anonymous. It is quite relevant to determine the suggestive directions in this context. The

⁶ Pearce RG, 'Lawyer and Public Service, The Historical Perspectives on Pro Bono Lawyering' [2001] FLASH: The Fordham Law Archive of Scholarship and History

⁷ Rhode DL, 'Pro Bono in Principle and in Practice' (2003) 53 Journal of Legal Education 413

⁸ Kagan BK, 'Pro Bono Practice' (2001) 28 Litigation

secondary qualitative data collection procedure has been determined because it aids in combining information from many sources. This assemblage contains material gathered by various researchers and may be applied based on the appropriate topic. Previously generated publications, such as journals and articles, will be used to identify essential discussions of various disciplines and business diversity⁹. In order to develop this research work accurately, the existing scholarly articles, journals, and books have satisfied the requirement. Beginning from the very early points of legal studies to cases at recent times have all been covered within the study.

HISTORICAL EVOLUTION OF LEGAL KNOWLEDGE AND PRO BONO CULTURE

As traced back to the historical perspective, law can be identified as a set of rules and norms that are formulated to run society smoothly. Dating back to the theory of Natural Law, legal education was meant to teach the population about morality and survival ethics. Gradually, other rites and customs collectively created the norms for social institutions. The concepts of state, legislation, and precedents came forward in this stream. The primary objective of this idea and its relevance is studied in Jurisprudence. There are several philosophers who investigated, analysed, and taught the subject to the masses. Jeremy Bentham and John Austin deserve special recognition in this context¹⁰. Analytical, philosophical, historical, and sociological schools of jurisprudence were evaluated in the course. For the duration of the early stages of the development of common law in England, the term "jurisprudence" was used, although it only meant "the study or practice of skill in law"¹¹. English attorneys did not start using the term with any technical importance as long as the beginning of the nineteenth century, during the reign of Bentham and his pupil Austin. Bentham made a distinction between "expository" and "censorial" jurisprudence, which refers to analysing a statute as it is as well as how it should be¹².

At a later period, the evolution led to the discovery of several diversions of law concerning its field. Administrative laws are meant to be followed for administrative purposes by the rulers, whereas constitutional laws specify the basic rights of human beings. It was the Romans who

⁹ Singh R, 'Socio-Legal Dimensions of the Investigation Methods of Research', *Legal Research Methodology* (1st edn, LexisNexis 2013)

¹⁰ Bunikowski D, *IVR 2015*

¹¹ Bryce JB, 'The History of Legal Development at Rome and in England', *Studies in History and Jurisprudence*, vol 2 (Oxford University Press, American Branch 1901)
<https://www.google.co.in/books/edition/_/VC2DAAAAMAAJ?hl=en&gbpv=0>

¹² Pound R, 'Jurisprudence.' [1925] *The history and prospects of the social sciences*. 444

introduced the pursuit of jurisprudence. "Jurisprudentia" is the Latin name for "knowledge of the law" or simply "skill in law". It stands to be the counterpart of the word "jurisprudence"¹³. Jurisprudence, according to Ulpian, is "the knowledge of things divine and human, the science of the just and unjust" A different approach Roman jurist, Julius Paulus, argued that "the law is not to be deduced from the rule, but the rule from the law." Although the formulations of the Roman jurists are imprecise and insufficient, they advance the notion of a judicial discipline which is different from the real organizations of a specific culture¹⁴.

The evolution of pro bono culture in India has not only benefited the underprivileged but has also had a positive impact on the legal profession as a whole. Pro bono work provides lawyers with an opportunity to expand their expertise, gain exposure to diverse legal issues, and contribute to society in a meaningful way. It also helps in fostering a sense of professional fulfilment and personal satisfaction.

Over the past few years, pro bono culture in India has undergone a major transformation. The term "Pro bono", which translates to "for the public good," is the practice of giving away free legal services to people or organizations who are unable to pay the counsel for legal consultancy¹⁵. The idea of pro bono has gained recognition and changed the Indian legal system, and it aided in guaranteeing the access of underprivileged individuals to the courts¹⁶. The growing understanding and acceptance of the requirement for legal aid services is one of the main elements driving the development of a pro bono culture in India.

Additionally, legal education establishments have been instrumental in advancing pro bono culture. Pro bono programs are becoming a common feature of many Indian law institutions to contribute to their educational materials, promoting people to actively participate in helping underprivileged populations with legal needs¹⁷. In addition to improving the practical legal

¹³ Pound R, 'Jurisprudence.' [1925] *The history and prospects of the social sciences*. 444

¹⁴ Bryce JB, 'The History of Legal Development at Rome and in England', *Studies in History and Jurisprudence*, vol 2 (Oxford University Press, American Branch 1901) <https://www.google.co.in/books/edition/_/VC2DAAAAMAAJ?hl=en&gbpv=0>

¹⁵ Coutinho VB, *V. D. Mahajan's Jurisprudence And Legal Theory* (6th edn, EBC 2022)

¹⁶ Rhode DL, 'Pro Bono in Principle and in Practice' (2003) 53 *Journal of Legal Education*

¹⁷ Pearce RG, 'Lawyer and Public Service, The Historical Perspectives on Pro Bono Lawyering' [2001] *FLASH: The Fordham Law Archive of Scholarship and History*

knowledge of the students, this experiential learning opportunity fosters an impression of social obligation.

The pro bono culture in the country has also been greatly aided by the judiciary. A number of courts have acted to boost the number of solicitors taking on pro bono cases as well as acknowledged and valued the contributions solicitors make to the provision of free legal aid. The Legal Services Authorities Act of 1987, has also played a significant role in establishing the provision of legal aid in India.

The study of legal education went on. It advanced through the years. However, the aim remained the same. Law is required in society to maintain peace and harmony. Maintenance of human rights and their protection is the primary purpose of the law¹⁸. In simple words, the goal of placing an extreme value on practical application in the study of law is to close the gap in understanding between the two fields by producing an upcoming generation of legal experts who are not only knowledgeable about legal principles but also capable of making significant contributions to human rights, social justice, and the advancement of society as a whole.

CONCEPT OF PRO BONO

As stated earlier, pro bono indicates the fact of performing public good. The meaning is evaluated from the Latin term “pro bono publico”. In fact, helping the common people in terms of protecting their rights is considered to be a morally affluent work. In the domain of law, it pertains to the volunteer provision of legal services, which is usually at free cost or at a discounted rate, to people or entities that are unable to pay for legal counsel. Pro bono work is done to advance the justice system, guarantee legal representation for underprivileged or excluded groups, and enhance society as a whole. This contrast is consistent with the transformation of the ideologies of elite category attorneys of the previous generations.

The Supreme Court ruled in *Hussainara Khatoon v. Home Secretary, State of Bihar (1979)*¹⁹ that Article 21 of the Constitution pledges the obligation to an effective hearing as a basic human right. In addition, the accused party in a case possesses the opportunity to be defended by any attorney of his choosing, as per Article 22(1) of the Constitution.

¹⁸ Coutinho VB, *V. D. Mahajan's Jurisprudence And Legal Theory* (6th edn, EBC 2022)

¹⁹ *Hussainara Khatoon v Home Secretary, State of Bihar* (Supreme Court of India)

Subsequently, the Legal Services Authority Act, 1987 (LSA) was passed, and as a result, it turned out to be operative on November 9, 1995. The Act outlines the range of legal aid that is accessible to the underprivileged, socially, and economically excluded, and disabled individuals. The Act aims to arrange Lok Adalat, offer free legal aid, and inform the public about the law²⁰. A new era in triggering the judicial system began with the establishment of Lok Adalat according to this Act. The initiative was effective in giving litigants access to an additional platform for dispute settlement at a base of conciliation. The Legal Services Authorities (Amendment) Act of 2002, also led to the establishment of Legal Service Panels in the Supreme Court and High Courts.

In *State of Maharashtra v. Manubhai Pragaji Vashi and Ors. (1995)*²¹, the Supreme Court concluded that it would be extremely dangerous to proceed with an indictment if a defendant was not provided with free legal representation at state expense, except if the defendant specifically declined. Furthermore, in the 1978 case of *M.H. Hoskot v. State of Maharashtra*²², Justice Krishna Iyer declared that the state, the state should be responsible for delivering free legal help.

Many lawyers devote countless hours without compensation throughout their careers to organizations that are currently incorporated out of the legal system²³. Legal aid for the impoverished receives substantial financial help from certain solicitors as well. However, most people do not get this opportunity. The majority of solicitors do not contribute at all, and the typical contribution is quite minimal. A large portion of "pro bono" work consists of cases where fees are uncollectible or favours for relatives, close associates, or clients rather than helping the underprivileged or public interest concerns. In other words, the pro bono efforts are a manifestation of the noblest aspirations of the legal system as well as its most aggravating hypocrisies for the lawyers. The widespread differences in financial assets that produce a sharp gap in obtaining justice are the root cause of the universal difficulty in providing equitable constitutional safeguards financially. As legal services and trials are expensive, many people, especially those from lower

²⁰ Pal SC, 'Legal Service Authority Act, 1987 – A Preview of Application on Society' <<https://taxguru.in/corporate-law/legal-service-authority-act-1987-a-preview-of-application-on-society.html>>

²¹ *State of Maharashtra v Manubhai Pragaji Vashi and Ors* (Supreme Court of India)

²² *MH Hoskot v State of Maharashtra* (Supreme Court of India)

²³ Shrinet H, 'Relevance of Pro Bono Services in India's Battle for Justice and Equality' [2022] Jus Corpus Law Journal

economic strata tend to face substantial obstacles. Richer people can afford elite legal counsel due to the disparity in monetary means, which affects case results and reinforces social disparities²⁴.

IDENTIFICATION OF PRO BONO AS A TOOL FOR SOCIAL CHANGE AND PROMOTING JUSTICE

Pro bono legal aid programs have been regarded as an effective catalyst for promoting social progress, demonstrating the ability of lawyers to constructively address more general problems in society. Pro bono work targets structural injustices, advances the availability of justice and fosters good community improvements by providing free legal advice to people and groups in need. Participating in such operations indicates an ethical dedication to the community to provide overall well-being in society. It also implies the understanding that a lawyer can do more for society than only defending particular clients²⁵. It can also aid in achieving social justice and safeguard equality for all. These deeds have important social and philosophical consequences that are consistent with the constitutional aim of social prosperity, justice, and equity. Pro bono work is morally in accordance with the core idea that attorneys have an obligation to ensure that everyone is entitled to the legal system, regardless of their source of income. It emphasizes how legal experts must deal with structural injustices and make sure that access to legal counsel is not limited to the wealthy class of people. Despite the fact that these activities are frequently optional, legal requirements and moral guidelines have highlighted how important they are, and these are pushing the attorneys to volunteer some of their precious time to help the less fortunate. In the end, the social and moral aspects of pro bono legal services highlight the dedication to a fair and just society in which everyone has the capacity to obtain legal counsel²⁶. It fosters an awareness of social obligation among attorneys, motivating them to take a proactive role in order to tackle urgent issues that society is facing. It strengthens the notion that attorneys have a crucial role in forming a culture that is fairer and more equal and encourages a dedication to volunteer in the community. In a nutshell, the acceptance of free legal assistance as a vehicle for social change underscores the revolutionary influence that attorneys may wield on the state of society, promoting equity, and justice, including the wider well-being of the local populations.

²⁴ Mittal R, *Legal Aid Catalyst for Social Change* (Satyam Law International 2012)

²⁵ Cummings SL, 'Access to Justice in the New Millennium: Achieving the Promise of Pro Bono' (2005) 32 Human Rights

²⁶ Mittal R, *Legal Aid Catalyst for Social Change* (Satyam Law International 2012)

IMPORTANCE OF INCULCATING PRO BONO CULTURE IN LEGAL EDUCATION

It is crucial to instil a pro bono mindset in law education for a number of strong reasons. The students are the future of the nation. The important traits are discussed as follows:

Training minds to perform civic duties

The primary effectiveness of teaching students about pro bono culture is that it integrates a feeling of civic duty among aspiring lawyers. Law students and future attorneys can gain a better knowledge regarding the role of advancing justice and equality of constitutional methods by participating in pro bono work. The effects of the legal system on underserved populations and those who have trouble in paying for counsel because of this direct involvement can directly seek²⁷. Due to the emergence of this factor, there is a greater probability of putting the needs of the public first and making significant contributions to resolving societal inequalities in the ongoing career.

Developing skills from an early stage

Other than incorporating such coursework into law education, practice-based knowledge in the form of internships can help in improving both the professional growth and tactical skills of the learners. Pupils can cope with their juridical studies, composition, and persuasion abilities by applying their theoretical understanding to actual scenarios by taking part in pro bono cases. They also obtain priceless expertise in judicial steps, bargaining, and client counselling. All of the above elements are crucial for their future careers as capable and moral attorneys. The students, on the other hand, receive a comprehensive judiciary education by means of this active learning, which enhances classroom instruction and gets them ready for the challenges of practicing a legal career²⁸. Apart from that, accepting this tradition in legal schools helps to make justice more accessible to all. The provision of legal services is impeded for many people as well as neighbourhoods by lack of knowledge about their rights, structural injustices, or budgetary limitations. By providing legal assistance to individuals in need through pro bono work, practitioners and law students can close this gap and advance justice and equity in the world of

²⁷ Rajashree K, Singai C and Shimray SA, 'Advancements in Legal Education in India: Challenges and Opportunities for Interdisciplinary Research' (2020) 8 Asian Journal of Legal Education 66

²⁸ Dubey DK and others, 'The Implications of the National Education Policy, 2020, on Legal Education in India' (2023) 3 International Journal of Advanced Research in Science, Communication and Technology (IJARSCT) 678

law²⁹. This not only satisfies the constitutional obligations of the attorneys to give pro bono services, but it also gives people the opportunity to stand up for their fundamental liberties and get justice for their complaints.

Improving moral senses and empathy

Apart from that, by including these projects in legal education, students get motivated to dedicate themselves to improving society and volunteering for the rest of their lives. Learners who are exposed to pro bono projects develop virtues like compassion, empathy, and generosity, which helps them become responsible lawyers who put the interests of the public interest first. This way of thinking persists beyond the end of high school since pro bono work motivates attorneys to keep helping marginalized communities and pushing for structural changes that improve equity and justice. In other words, the connectivity amongst academic institutions, legal clinics, and non-profit groups is strengthened by this sentiment in the field of law³⁰. Working together to offer pro bono services generates benefits that assist the general public at large as well as students. Legal clinics obtain essential assistance in carrying out their purpose of assisting marginalized people, while academic institutions acquire a useful understanding of current legal concerns and social requirements³¹. This mutually beneficial connection promotes a cooperative and supportive culture throughout the legal profession while increasing the efficacy and consequences of pro bono projects.

ASSESSING THE EFFECT OF PRO BONO CULTURE ON LEGAL ACCESS

Assessing the efficacy of pro bono initiatives is a complex process that deals with social justice, promoting community empowerment, and human impact.

Impact of Pro Bono programs

Efficiency in pro bono work is fundamentally about ascertaining the method to ensure these initiatives in order to accomplish the goals of granting people access to the legal system, advancing equality, and empowering the underprivileged and marginalized for better access to justice. The

²⁹ Jones SV, 'Blackface, Bullying and Freedom of Expression: What Legal Education Means for Law Student Welfare' (2020) 5 European Journal of Multidisciplinary Studies

³⁰ Dubey DK and others, 'The Implications of the National Education Policy, 2020, on Legal Education in India' (2023) 3 International Journal of Advanced Research in Science, Communication and Technology (IJARSCT) 678

³¹ Rajashree K, Singai C and Shimray SA, 'Advancements in Legal Education in India: Challenges and Opportunities for Interdisciplinary Research' (2020) 8 Asian Journal of Legal Education 66

competence of promoting legal aid offered through pro bono campaigns is another aspect of efficacy³². In addition to this, legal assistance for free is required to be provided, but the rule is also important to make sure that such solutions are of the highest quality and successfully address the demands of the clients. This imposes the assessment of knowledge and experience for the pro bono advocates³³. Case studies, and client management are essential for demonstrating the beneficial effects of free assistance on the lives of the common people. Pro bono projects can be made more successful and have an impact that lasts longer by regularly assessing their administrative capabilities and strategic planning. In summary, assessing the success of pro bono initiatives necessitates a thorough and compassionate methodology that considers qualitative factors like consequences, convenience, excellence, ecological responsibility, and participation from stakeholders in addition to statistical information³⁴. Making sure pro bono initiatives actually have a significant impact on advancing equal opportunity, equitable treatment, and universal empowerment is the goal. Other than that, governmental funding can aid in backing up the process with much ease.

Analysis of scenarios for Pro Bono services in the society

Comprehensive knowledge of the significant influence that voluntary assistance has on social well-being, equality, and access to justice can be gained by contrasting legal frameworks that include and do not include pro bono culture in the system. Pro bono integration fosters a tangible feeling of fairness and independence in the law institutions³⁵. The way of providing access to legal rights so that individuals might not otherwise be afforded only to the marginalized people whereas underprivileged communities can ensure that access to justice is not an entitlement only enjoyed by the wealthy. This evens out the playing field by assuring social standards. By serving as a constant reminder of their obligation to promote the public interest and preserve the values of justice and equity, pro bono integration helps legal professionals develop an ethic of social

³² (India@75 Foundation Taproot Foundation Publication 2022) rep

³³ Chatterjee P, 'Engagement of Bar, Bench and Law Universities in Developing Pro Bono Culture in India' (2023) 5 Indian Journal of Law and Legal Research

³⁴ Shrinet H, 'Relevance of Pro Bono Services in India's Battle for Justice and Equality' [2022] Jus Corpus Law Journal

³⁵ Yadav B, 'Access to Justice and Legal Aid in India' [2023] NLU Pro Bono Club

consciousness³⁶. Similarly, on the opposite side, the judicial systems which are devoid of pro bono incorporation frequently encounter obstacles associated with uneven utilization of justice. People without the financial means to hire an attorney may find it difficult to understand the complicated legal procedures or successfully safeguard their rights. This brings out the potential to prolong the cycle of inequality and injustice, especially for disadvantaged populations that face structural obstacles. In the absence of pro bono activities, those who are already disadvantaged bear a disproportionate share of the cost of legal representation and fees, which compounds social inequality and restricts chances for equal participation for every representative of the society. Besides these factors, a lack of pro bono work could cause a rift between the legal community and practitioners, impeding initiatives to address pressing societal problems and advance substantive legal reform. In contrast to that, the legal frameworks for incorporating pro bono services exhibit a dedication to promoting equality and respect for humanity³⁷. They strive to ensure that nobody becomes separated because of financial hardships or an absence of legal representation since they acknowledge that being able to obtain court is a fundamental right of every individual. In addition to helping those in need, pro bono integration enhances the legitimacy and general integrity of the judicial system. It helps to create a more tolerant and just state where the principles of law are respected for the mutual advantage of every person, strengthens public trust, and encourages civic engagement. The contrasting examination of judicial systems that have integrated pro bono and those that do not essentially highlights the revolutionary impact of legal aid programs in furthering social justice objectives³⁸. It stresses how crucial it is for legal experts, civil society groups, and governmental bodies to work together to develop a legal system that is equitable, approachable, and sensitive to the various needs of communities. Legal systems can become closer to realizing the goal of a just and welcoming society where everyone has equal opportunity to seek justice, defend their rights, and engage constructively in the judiciary by adopting pro bono integration.

RESEARCH GAP

The research gap particularly picks out the factors that have not yet been discussed in the existing literature regarding the subject. It initiates the points that are essential for inclusion. The existing

³⁶ Soni L and Prashant, 'Pro Bono: A Reality or an Allegory' (2020) 3 International Journal of Law Management & Humanities

³⁷ Shivam S, 'Hardships of Legal Illiteracy and the Need for Pro-Bono Work in Law' [2023] Jus Corpus Law Journal

³⁸ Yadav B, 'Access to Justice and Legal Aid in India' [2023] NLU Pro Bono Club

literature helped to figure out the necessity of pro bono culture in society. It can be further known that NGOs and some governmental beneficiary organizations can promote such initiatives. The legal educational institutions can help in conducting free legal aid camps for lawful consultations. However, the question remains at one point, how the legal institutions should work to aid in improving pro bono culture among the students? This issue has not been clearly defined by previous scholars.

SUGGESTIVE DIRECTIONS

At such a point of question, the development of moral sense and responsibility in people is greatly aided by artistic intelligence. Sensitivity and insight are two vital methods for stimulating creative knowledge and advancing morality. Pro bono work humanizes legal schooling by transforming learners into principle-based activists and advocates for constructive change. A questionnaire survey was conducted for this purpose that significantly pointed out the relevant graphical knowledge on the requirement of studying art and literature for law pupils.

Did you ever provide legal support to any financially unprivileged person?

30 responses

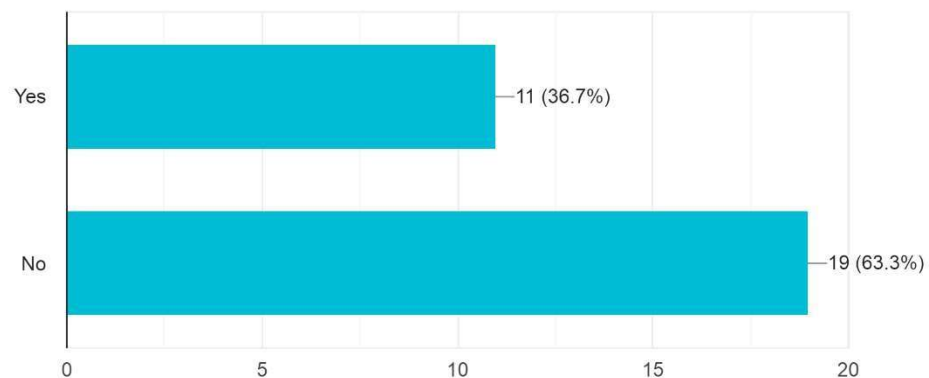


Figure: 1

(Survey Data, collected by Author)

The statistical data as presented in Figure 1, shows that 63.3% law professionals did not provide pro bono service to any unprivileged person.

Learning Art

Perceptive literary works and artistic activities all frequently explore how people feel by presenting a range of thoughts and feelings. People who interact with art are able to empathize with the observations and emotions of others, regardless of where they come from diverse origins or

societies and so grow more empathetic ³⁹ . In order to generate analysis and an enhanced understanding of moral aspects in a variety of individual scenarios, creative people are able to tackle ideas that include justice, equality, kindness, and the ethical implications of decisions.

Are you interested in any art form or literature, like reading or writing?

30 responses

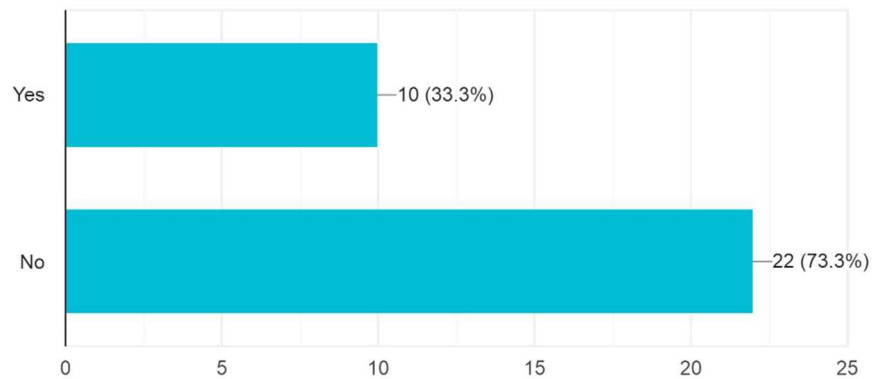


Figure: 2

(Survey Data, collected by Author)

Figure 2 shows that 73.3% law professionals are not even interested in literary subjects. Students in the legal profession are likely to benefit from practicing art since it provides distinctive insights and abilities that supplement formal instruction. Most importantly, art fosters imagination as well as analytical thinking, both of which are necessary for the analysis of law and dispute solutions. Art allows pupils to innovate beyond boundaries, explore many perspectives, and devise novel solutions to legal problems.

Studying Literature

Studying literature can be beneficial for pupils who study law because it provides a variety of opportunities that boost and enrich their disciplinary skills. In the beginning, literature fosters intellectual curiosity and reasoning skills, which are required for analysing complicated legal documents and comprehending legal ideas⁴⁰.

³⁹ Dutta S, 'Art and Morality' [2011] Literary World

⁴⁰ Vaishnav H, 'Literature a Pedagogical Tool for Law' (2017) 3 International Education And Research Journal

Do you read books, other than text books?

30 responses

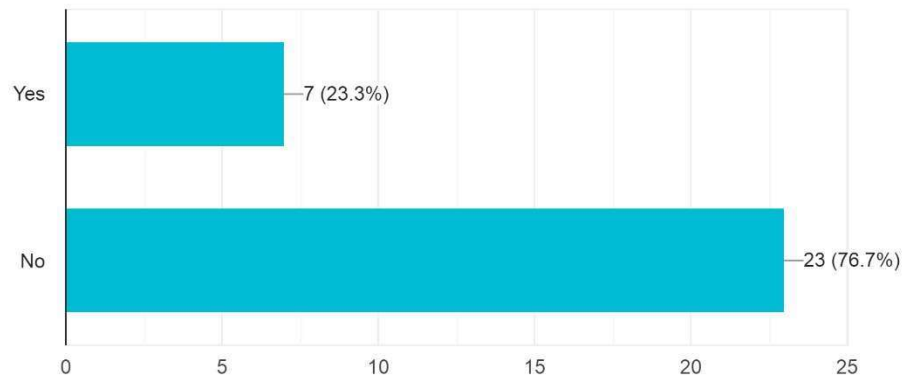


Figure: 3

(Survey Data, collected by Author)

Figure 3 provides that 76.7% law professionals do not read any other books except textbooks. The written works of literature frequently demand learners to analyse concepts, characters that are used, and storylines, which helps law students extract interpretation from intricate writing and relate qualitative analysis to lawful documents and matters. Above all, reading encourages humanity and a better knowledge about individual emotions and their associated experiences. Simply reading a variety of works of art, lawyers might have a better understanding of views towards societies, and traditional surroundings⁴¹. This compassion is especially useful in the legal profession, as knowing their histories and objectives can ultimately contribute to more successful advocacy and mediation.

CONCLUSION

Education is a great weapon to bring revolutionary changes in society. In developing countries like India, most of the population is still illiterate. People are unaware of their rights. Spreading the knowledge about their legal rights is thus very essential. Several people do not know about the Pro Bono culture for attaining legal protection. Apart from that, it can be seen that the practicing advocates generally do not perform cases on Pro Bono matters. One of the primary objectives of encouraging students to participate in illuminating pro bono is to develop the commitment of the pupils to assist free legal aid camps representation during and after graduation. Art improves

⁴¹ Khan N, 'Role of Literature in Moral Development' (2014) 2 International Journal on Studies in English Language and Literature 6

interpersonal interaction and narrative abilities, which are essential in legal work. Legal professionals frequently need to effectively communicate complicated legal ideas and reasons to justices, juries, and litigants. Students who pursue creativity can increase their knack for creating interesting narratives, convey effectively using illustrations, and captivate spectators during speeches. In order to strengthen the adherence to charitable legal work by the students, one of the main goals of fostering lawyers to take part in educational pro bono is an experiential learning program in the legal profession. It includes pro bono work in the legal training program which is quite compatible with bringing compassion to the law learning process. In India, jurisprudential, academic, and statutory improvements during the last thirty years have laid the foundation for the impoverished to pro bono legal aid. In real terms, though, very few NGOs effectively offer these kinds of services and those that do have to hinge on Indian special PIL procedure in order to obtain legal representation⁴². It has to bear with the establishment of ethical behaviour, empathy, and justice as core values from the outset of the education of a lawyer. Literature introduces law pupils to moral decisions, decent challenges, and moral issues, enabling pupils to face the ethical difficulties of practicing law. Analysing the ethical matters in literary works might help students have a better knowledge of constitutional principles and professional accountability. The notion of "public" in the context of public service is also examined in the work of literature, and free legal aid delivery is contrasted with other methods including governmental funding. The research helped in analysing and exploring the methodological approaches that pro bono is committing to change in the professional landscape of attorneys and law schools. The path to pro bono standards and practices relate to one another. On the other hand, the outside factors influence pro bono beyond the actions of a single practitioner, and how pro bono reflects the complexity of legal competence. It is a life-changing opportunity that extends beyond lectures and textbooks, giving students the chance to interact first hand with the actual legal difficulties that underprivileged communities face. Students discover the value of their legal knowledge via pro bono work, where they assist those who may not otherwise be privy to legal counsel. It reminds future solicitors that their responsibility goes beyond arguing cases in court to include serving the public interest and defending equity and fairness. This gives them a feeling of fulfilment and purpose. Pro bono work basically humanizes legal schooling by transforming learners into principle-based activists and

⁴² Rajashree K, Singai C and Shimray SA, 'Advancements in Legal Education in India: Challenges and Opportunities for Interdisciplinary Research' (2020) 8 Asian Journal of Legal Education 66

advocates for constructive change. Legal workshops are crucial assets that help to cease the educational gap that exists between theory and practice by providing students of law with direct exposure to aid them become empathetic and capable advocates. Students may commit errors, gain insight into them, and develop into morally and responsibly practicing solicitors in a safe environment at legal clinics. Education needs to be clarified in these days. Mere learning of textbooks does not grow insights. Law pupils are required to study arts and literature for their inner development which would assist in the improvement of moral senses.

