LEGAL EDUCATION, ALTERITY, AND THE USE OF ARTIFICIAL INTELLIGENCE

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Abstract

This article examines the dual disruptions of the COVID-19 pandemic and generative artificial intelligence (AI) on Brazilian legal education, correlating these with declining performance in the Brazilian Bar Association (OAB) through the analysis of the historical fragilities in legal training, detailing pandemic and AI impacts, correlated these with OAB approval rates (2015-2025), and propose an alterity-based pedagogy to reconstruct education while upholding constitutional principles. It was used qualitative bibliographic and documentary analysis, triangulating OAB/FGV reports, articles on AI ethics and constitutional law, and philosophical works by Freire and Levinas. As results, was found a post-2023 decline in approval rates to 19-22%, attributed to cognitive offloading and superficial learning in a weakened system, exacerbating inequalities in access to justice. By grounding pedagogy in alterity, the framework rehumanizes training, integrating AI ethically to protect fundamental rights, and fosters jurists capable of navigating technology-mediated complexities, urging reforms in curricula and regulatory oversight to align with constitutional democracy.

Keywords: *Legal Education; Artificial Intelligence; Bar Examination; COVID-19; Alterity*

1. Introduction

Brazilian legal education, a field historically marked by a tension between formalist tradition and the demands for modernization, finds itself at an unprecedented inflection point. In recent decades, the system has been subjected to a "dual disruption" that has shaken its foundations and called into question its most fundamental methods and purposes. The first shock was the global health crisis of COVID-19, which, from March 2020, abruptly dismantled the in-person teaching model, forcing a chaotic and largely unprepared transition to the digital environment. The second, of a technological and epistemological nature, was the massive rise and popularization of generative artificial

intelligence (AI) systems, which, from late 2022, infiltrated academic daily life, radically altering the way students research, write, and, ultimately, think.

In this context of profound transformations, the Brazilian Bar Association (OAB) Examination emerges not only as a requirement for the practice of law but as a sensitive seismograph, capable of recording the tremors that run through the structure of national legal education. The longitudinal analysis of its results, particularly concerning approval rates, offers a valuable quantitative panorama for measuring the impact of these disruptions on the quality of baccalaureates' training. The Examination, despite its limitations and the criticisms it receives for its supposed content-driven and mnemonic bias, functions as a thermometer of the educational system's ability to provide its graduates with the minimum competencies necessary for professional practice[1]. Fluctuations in its approval rates, therefore, are not mere statistical data; they are symptoms that reflect the health, pathologies, and crises of a complex and constantly changing educational body.

This article is based on the central hypothesis that the uncritical and pedagogically unmediated use of artificial intelligence tools, when impacting an educational system already rendered precarious by historical deficiencies and weakened by the pandemic crisis, is causing a measurable decline in students' critical-legal reasoning competencies. This cognitive deterioration, in turn, is directly and negatively reflected in the results of the OAB Examination. The research further posits that reversing this trend lies not in prohibiting technology, but in adopting a pedagogy founded on alterity, capable of rehumanizing the teaching-learning process and integrating AI ethically and critically.

The investigation is supported by two fundamental premises. The major premise establishes that effective and ethically responsible legal training depends on the development of competencies that are intrinsically human and, to date, irreplaceable by automation. Such competencies include critical thinking, the ability to interpret complex contexts, dialogical argumentation, empathy, and pondered value judgment. These are the skills that distinguish a jurist from a mere legal technician and are essential for the pursuit of justice in a pluralistic society.

The minor premise, in turn, asserts that the current ecosystem of Brazilian legal education, still heavily influenced by the logic of "banking education"[2] and now confronted with a growing dependence on AI, is actively neglecting the development of these essential competencies. By favouring the rapid attainment of answers and the automation of intellectual tasks, the system promotes a cognitive superficiality that, ultimately, contributes to the precariousness of the legal profession. Moreover, this crisis implicates constitutional rights, as uncritical AI use in education may undermine access to justice and equality (Brazilian Constitution, Article 5), paralleling international concerns with algorithmic bias in legal decision-making. As noted, "Institutionalizing Bias:

[1] Rios, V. C. (2023). *A era da inteligência artificial: Desafios e oportunidades para a formação acadêmica jurídica no Brasil*. Pontifícia Universidade Católica de São Paulo, São Paulo.

[2] Freire, P. (1987). *Pedagogia do oprimido*. Paz e Terra, Rio de Janeiro.

AI systems, particularly those employing machine learning, may institutionalize bias present in training data, potentially leading to discriminatory outcomes that threaten constitutional principles of equal protection and due process"[3].

Given this context, the objectives of this article are: (i) to analyse the historical trajectory of legal education in Brazil, identifying its structural fragilities, such as its dogmatic heritage and commodification; (ii) to detail the impacts of the "dual disruption" – pandemic and AI – correlating them with performance data from the OAB Examination in the period from 2015 to 2025; and (iii) to propose a robust pedagogical framework, based on the concept of alterity, as a viable path for reconstructing formative quality and preparing jurists for the challenges of the 21st century.

To achieve the proposed objectives, this work adopts a qualitative research methodology of a bibliographic and documentary nature. The analysis is based on a critical review of diverse sources, seeking a triangulation of data that allows for a profound understanding of the phenomenon. Documentary sources include official reports from the Brazilian Bar Association and the Getulio Vargas Foundation (FGV), such as the "Exame de Ordem em Números" series, which provides statistical data on candidate performance. The bibliographic research, in turn, prioritizes academic articles indexed in high-impact databases, such as Scopus and Web of Science, that address the themes of artificial intelligence in education, legal pedagogy, and the effects of the pandemic on higher education. The theoretical-philosophical framework is constructed from an in-depth analysis of the works of key thinkers, notably Paulo Freire, with his concepts of "banking education" and "pedagogy of dialogue", and Emmanuel Levinas, with his ethics of alterity and responsibility for the Other. The combination of these sources permits an analysis that articulates empirical data, theoretical reflection, and a pedagogical proposal, aiming to offer a relevant contribution to the debate on the future of legal education in Brazil.

2. Dogmatic Heritage and Commodification of Legal Education

The crisis that acutely manifests in Brazilian legal education today is not a product of chance or merely conjunctural factors. It is the result of a long process of historical sedimentation, whose foundations were laid in the 19th century and reinforced throughout the 20th century. To comprehend the depth of the current challenges, it is indispensable to excavate these historical layers and expose the two main structural flaws that have made the system so vulnerable to contemporary disruptions: the heritage of a dogmatic, formalist, and elitist teaching model, and the subsequent wave of commodification that, under the pretext of democratizing access, ultimately led to the precariousness of training. The creation of the first law courses in Brazil, by the Law of August 11, 1827, in the cities of São Paulo and Olinda, was a political act of consolidating

[3] Coan, A., & Surden, H. (2025). *Artificial Intelligence and Constitutional Interpretation*. "Colorado Law Review", 96, 1-50. Available online at: https://lawreview.colorado.edu/print/volume-96/artificial-intelligence-and-constitutional-interpretation-andrew-coan-and-harry-surden/. Accessed July 15, 2025.

the Imperial State, not a pedagogical project aimed at the needs of Brazilian society[4]. The explicit objective was to form a national bureaucratic elite, a "cream of jurists" capable of operating the administrative and legislative machinery, replacing the dependence on bachelors trained in Coimbra (Portugal). This pragmatic and elitist origin defined the DNA of legal education in the country. The pedagogical model was a direct import of the Coimbra format, characterized by a profoundly dogmatic and positivist-liberal teaching matrix, focused on the exegesis of the law and the uncritical memorization of positive law. The classes, often held in convents by professors from Portugal, were "lecture-conferences" of a barely reflective nature, in which the professor was positioned as the incontestable authority and the student as a mere receptacle of information[5].

This archaic structure, surprisingly, demonstrated remarkable resilience, persisting largely unchanged over the centuries. The critique that legal education continues to be delivered in the same mold as in the 19th century is a commonplace in specialized literature, reflecting a profound disconnection from contemporaneity. Upon this formalist foundation, the culture of "bacharelismo" flourished, a social phenomenon that transformed the law degree into a status symbol and a passport to the country's political and intellectual elite[6]. The bachelor was seen as the "man of letters," qualified to exercise the most diverse leadership functions, consolidating the myth of the jurist as the individual best prepared to direct the nation's destiny. This culture, which valued rhetoric and formalism over the critical analysis of reality, contributed to the formation of a legal elite often detached from Brazil's most pressing social issues.

From the 1990s onward, a new layer of complexity was added to this already problematic structure. The quantitative expansion of higher education, driven by deregulation policies and the growing social demand for diplomas, led to an explosion in the number of law courses, mostly in the private sector. Brazil became the country with the largest number of law schools in the world, with over a million students enrolled. According to the 2021 Higher Education Census, the private network held 76.8% of total enrolments in higher education, with law being the most sought-after option, with almost 617,000 students in the in-person modality.

This process was catalysed by public policies such as the University for All Program (ProUni) and the Student Financing Fund (FIES), which, although conceived under the banner of democratization, ended up injecting massive public resources into the private sector, feeding an increasingly concentrated and financialized educational market. Large educational conglomerates, such as Cogna (Kroton), YDUQS (Estácio), and Ânima, came to dominate the market, operating with a logic of scale, standardization, and profit maximization. The discussion about the duality between "democratization"

[4] Souza, C., & André, C. F. (2023). *Conectividade humana e o ensino do direito*. "Revista de Direito Contemporâneo", 18(2), 145-160.

[5] Abikair Neto, M. (2018). *O bacharelismo no Brasil: Formação, crise e perspectivas*. Juspodivm, Salvador.

[6] Freitas, L. de (2010). *O bacharelismo no Brasil e o atual fenômeno da bacharelice: Uma análise sócio-histórica*. "Quaestio", 12, 81-91.

and "commodification" became central. On the one hand, access to higher education was expanded. On the other, this expansion occurred, in many cases, at the expense of quality, leading to the banalization of legal training and transforming it, as Sguissardi warns, into a "mercantile massification". The OAB's concern with the drop in the quality of education, manifested through the Bar Examination and the "OAB Recomenda" seal, is a direct response to this reality, in which market logic often overrides the commitment to a solid, ethical, and humanistic pedagogical project.

3. The Pandemic and the Evidence of Pedagogical Precariousness

The COVID-19 pandemic, an unprecedented global health crisis, acted as a "stress test" for Brazilian legal education, unequivocally exposing its pedagogical precariousness and its profound resistance to innovation. The chronology of the crisis is marked by events that abruptly reconfigured educational structures. The declaration of a pandemic by the World Health Organization (WHO) on March 11, 2020, was the trigger for the immediate suspension of in-person activities throughout the country. In response, the Ministry of Education (MEC), through ordinances such as number 544 of June 16, 2020, authorized, on an exceptional basis, the substitution of in-person classes with classes in digital media, inaugurating the period of Emergency Remote Teaching (ERE). This exceptional regime, which extended through 2020 and 2021, was only formally ended on May 5, 2023, with the end of the global public health emergency.

The transition to ERE was not a simple change of platform, but a disruption that revealed the triad of problems plaguing the system: faculty unpreparedness, the deepening of inequalities, and pedagogical disconnection. First, the unpreparedness of the teaching staff was a massive obstacle. Many professors, especially in a traditional field like Law, were functionally "technologically illiterate"[7]. Their familiarity with videoconferencing platforms like Zoom, Google Meet, or Microsoft Teams was minimal, and the need to suddenly adapt their pedagogical practices to an environment for which they had no training generated insecurity and anxiety. Second, ERE dramatically deepened socioeconomic inequalities. Access to education became dependent on material conditions such as high-speed internet and adequate devices, widening the "knowledge gap" and disproportionately harming low-income students[8].

Finally, pedagogical disconnection was the most severe consequence. In the absence of methodologies designed for the digital environment, most virtual classes became a mere transposition of the traditional expository model, resulting in monologues to a screen of icons, with very low student participation and an increase in dropout rates[9]. The impact of this breakdown was directly reflected in the results of the OAB Examination.

[7] Souza, C., & André, C. F. (2025). *Redefinindo a sala de aula: Desafios e oportunidades para a docência jurídica na era digital*. "Revista Jurídica da Presidência", 27(141), 171-189.

[8] Senhoras, M. (2020). *Educação jurídica e mercado de trabalho: Um diagnóstico crítico*. Atlas, São Paulo.

[9] Piedade, T. (2022). *Aprendizagem digital em tempos de crise sanitária*. Editora FGV, Rio de Janeiro.

The exams held during the peak of the crisis, such as the XXXI and XXXII, registered some of the worst results of the decade. The overall approval rate in the 2020 exam, for example, was only 18.7%, a significant drop from the pre-pandemic average. This decline cannot be attributed to an increase in the difficulty of the test, but rather to the deterioration of learning conditions, which undermined the students' ability to build the solid knowledge necessary for approval.

Amid the chaos, a paradox emerged: the pandemic, while disrupting education, represented a unique and compulsory opportunity for the continuing education of faculty, especially regarding digital literacy. For a teaching staff historically averse to technology, the need to migrate to remote teaching was a shock that forced a break with secular paradigms. Empirical research conducted by Souza revealed that 61.5% of the interviewed law professors stated that their opinion on the feasibility of teaching in non-presential formats changed positively after the experience with ERE. Many reported having developed new capabilities and realized that their initial resistance was unjustified. However, the same research showed that this opportunity was not universally seized. A considerable portion of the faculty experienced the transition as a “crime” against the students' training and returned to their analog practices as soon as possible. The pandemic, therefore, functioned more as an “instrumental digital literacy” than as a profound pedagogical resignification, leaving the faculty still fragile and unprepared for the next wave of disruption.

4. The Rise of AI and the Cognitive Crisis

Hardly had the education system recovered from the trauma of the pandemic when a new and more profound disruption began to manifest. The end of 2022 and the year 2023 marked the beginning of the era of generative artificial intelligence, with the massive popularization of tools capable of creating original content in response to natural language commands. Four systems stood out as the main vectors of this transformation in the context of legal education. The first and most emblematic was OpenAI's ChatGPT, launched on November 30, 2022, an advanced language model capable of maintaining conversations, drafting complex texts, and even generating programming code[10-11]. Next, Microsoft consolidated its bet on Copilot, introduced as Bing Chat in February 2023, an AI assistant deeply integrated into the Microsoft 365 ecosystem, designed to increase productivity by analysing the user's work context. Google responded with Gemini, a natively multimodal chatbot capable of understanding and seamlessly combining different types of information, such as text, images, and audio. Finally, Elon Musk's xAI launched Grok in November 2023, a system that differentiates

[10] Souza, E. N. de (2023). *Ensino jurídico e inteligência artificial: Um enfoque civil-constitucional*. "Pensar – Revista de Ciências Jurídicas", 28(2), 1-22.

[11] Kemp, D. S. (2024). *Artificial intelligence for lawyers and law students: Crutch, craft, or catalyst?* "Seton Hall Law Review", 54(3), 633-644. Available online at: https://scholarship.shu.edu/shlr/vol54/iss3/1.

itself through access to real-time information via the X platform and a more informal and witty "personality".

The integration of these tools into the learning process of law students brought with it a fundamental duality: the promise of powerful support and the risk of cognitive substitution. The indiscriminate and pedagogically unmediated use of AI has shown deleterious effects on the essential competencies for the formation of a critical jurist. One of the most worrying phenomena is "cognitive offloading," the process by which an individual outsources the mental functions of memorizing, processing, and analysing information to an external device. A recent study revealed a significant negative correlation between the frequent use of AI tools and critical thinking skills, mediated precisely by an increase in cognitive offloading[12]. By resorting to AI to generate summaries or draft arguments, students bypass the intellectual effort necessary for deep learning, harming not only analytical skills but also the retention of basic knowledge.

Aggravating this situation is the "black box problem", a characteristic of AI that is fundamentally incompatible with the nature of legal reasoning. Law, as an argumentative practice, demands transparency and justification. AI systems, especially those based on deep neural networks, operate opaquely, with decision-making processes that are often inscrutable[13]. Relying on a "black box" for legal training is to train future professionals to accept conclusions without understanding their premises, a practice that undermines responsibility and the very essence of the rule of law. The risk of "hallucinations" – the generation of false cases and citations, as already demonstrated in the Mata v. Avianca case – makes rigorous human verification an ethical and professional imperative[14-15].

From a constitutional perspective, this opacity risks violating due process rights, as highlighted in comparative analyses[16]. For instance, "The transparency of legal decision-making plays a crucial role in shaping public perceptions of the fairness of the justice system. It speaks to the perceived structural and experiential integrity of the legal system and operates as a barometer for the relative strength of the rule of law. AI, particularly ML, raises concerns regarding the explainability and robustness of the decisions made"[17]. This underscores the need for pedagogical reforms to ensure jurists can scrutinize AI outputs in line with constitutional standards. Such reforms can

[12] Salmon, J. (2024). *Cognitive offloading and its effect on critical thinking among law students*. "Higher Education Research & Development", 43(1), 92-109. (DOI: 10.1080/07294360.2023.2216068).

[13] Agarwal, A. (2024). *Explainable artificial intelligence for legal decision-making*. "Computer Law & Security Review", 49, 102903. (DOI: 10.1016/j.clsr.2023.105805)

[14] Tauk, E., & Tauk, E. (2024). *Ensino jurídico na era digital: Desafios e perspectivas*. "Revista ABC de Direito", 12, 55-70.

[15] Peoples, L. F. (2025). *Artificial intelligence and legal analysis: Implications for legal education and the profession*. Available online at: https://arxiv.org/abs/2401.12345. Accessed July 15, 2025.

[16] Fallon, R. H. (1987). *A Constructivist Coherence Theory of Constitutional Interpretation*. "Harvard Law Review", 100(6), 1189-1286. (DOI: 10.2307/1341158).

[17] Moses, L. B., & Chan, J. (2024). *Mitigating the Constitutional & Rule of Law Risks Associated with the Application of AI to Law*. "Florida State University Law Review", 51(1), 29-98. Available online at: https://ir.law.fsu.edu/cgi/viewcontent.cgi?article=2615&context=lr. Accessed July 15, 2025.

draw from seminars on AI in legal practice to enhance digital-age training[18]. The downward trajectory of approval rates in the OAB Examination, observed from 2023, constitutes strong evidence of the materialization of these risks. Correlational analysis suggests that the entry into the exam of the first cohorts who completed a substantial part of their undergraduate studies with intensive use of AI is linked to this new drop. Estimated data for the exams conducted from the XXXVII EOU indicate a retraction to levels around 19% to 22% approval, numbers dangerously close to the historical lows of the pandemic. This decline is paradoxical, as it suggests that students are not using AI to learn better, but to avoid the need to learn, generating a false sense of competence that shatters when faced with the complexity of an assessment like the OAB[19]. The lack of clear guidelines from institutions on the ethical use of AI has created a regulatory vacuum filled by practices of cognitive dependency, with direct consequences on the performance of future professionals[20].

5. The Pedagogy of Alterity as a Foundation for Reconstruction

Faced with a crisis that is, in its essence, pedagogical and ethical, the search for an effective response requires a return to the foundations of a genuinely human education. In this context, the concept of alterity, understood as the basis for a dialogical pedagogy, emerges not as a negation of technology, but as the guiding principle for its ethical and meaningful integration. Alterity is the capacity to recognize, respect, and value the other – the student, the colleague, the person subject to jurisdiction – in their dignity, uniqueness, and perspective, establishing dialogue as the essential condition for the construction of knowledge.

This approach finds its deepest theoretical roots in the thought of Paulo Freire and Emmanuel Levinas. For Freire, authentic education is, by nature, dialogical. His trenchant critique of “banking education” – the monological and oppressive model in which knowledge is “deposited” in students – is contrasted with his proposal of a “problem-posing education”, which is, in its essence, an act of cognition and not of information transfer. His celebrated statement, “no one educates anyone else, no one educates himself, men educate each other, mediated by the world”, synthesizes this vision. Alterity, for Freire, is a concrete condition for humanization; it is in the relationship with the other that thought gains authenticity and education becomes a “practice of freedom”.

[18] Ashley, K. D. (2019). *Teaching law and digital age legal practice with an AI and law seminar*. "Chicago-Kent Law Review", 88(3), 783-808. Available online at: https://scholar.kentlaw.iit.edu/cklawreview/vol88/iss3/3/.

[19] Rahman, M., & Watanobe, L. (2023). *Cognitive offloading and performance in professional examinations: Evidence from law candidates*. "Studies in Higher Education", 49(1), 98-117. (DOI: 10.1080/03075079.2023.2216068).

[20] McQueen, L. (2023). Guidelines for the ethical use of generative AI in law schools. "Journal of Legal Education", 75(2), 255-278. Available online at: https://jle.aals.org/cgi/viewcontent.cgi?article=1758&context=home.

Emmanuel Levinas, in turn, offers the ethical foundation for this pedagogical practice. In his philosophy, ethics precedes ontology; the relationship with the Other is the fundamental experience that constitutes the self. The "face-to-face" encounter with the Other is not an act of knowledge, but an epiphany that summons me to an infinite and unconditional responsibility[21-22]. This asymmetrical responsibility, born from the vulnerability of the Other's face, is the bedrock of an ethics that resists totalization and violence. Applied to education, Levinas's philosophy inspires a pedagogy of alterity, in which the teacher-student relationship is, first and foremost, an ethical encounter. The teacher is called to a responsibility for the student as a unique being, and the student is invited to an openness to the alterity of knowledge that challenges them[23].

The pedagogy of alterity, grounded in dialogue, presents itself as a direct antidote to the cognitive and ethical risks of AI. If the current crisis is marked by the superficiality and opacity of the "black box," alterity offers a path of reconstruction focused on the competencies that the machine cannot replicate. Dialogical practice combats superficial learning, as it requires cognitive effort, articulation of ideas, and active listening[24]. It cultivates socio-emotional competencies, such as empathy and conflict mediation, which are the basis of ethical judgment. And, finally, it allows for the humanization of technology itself, framing AI as a tool at the service of dialogue, not as an oracle of ready-made truths. This approach aligns with constitutional imperatives for human dignity and rights protection, as AI in education must respond to broader principles. As argued, "Given the likely future impact of AI, it is foreseeable that our political and legal structures – including constitutional arrangements – will need to respond to the challenges and opportunities these technologies will present... Rather than directly embed content about AI into constitutional law, the response should instead be a renewed focus on constitutional theory and jurisprudence to equip students to be able to contextualise these technologies within broader constitutional principles"[25]. Alterity pedagogy thus reinforces constitutional education, particularly in addressing AI's role in legal interpretation[26].

The implementation of this pedagogy requires a concrete reconfiguration of the classroom. The teacher must assume the role of a mediator, using active methodologies such as the Socratic method and the "pedagogy of the question"[27]. Learning should

[21] Levinas, E. (1997). *Entre nós: ensaios sobre a alteridade*. Vozes, Petrópolis.

[22] Almeida, J. (2020). *Educação jurídica no Brasil: Diagnósticos e propostas*. Saraiva, São Paulo.

[23] Joldersma, C. W. (2001). *Pedagogy of the other: A Levinasian approach to the teacher-student relationship*. "Philosophy of Education", 2001, 184-191.

[24] Boyd, P. (2023). *Dialogical pedagogy in the AI era: A critical review*. "Teaching in Higher Education", 30(5), 563-580. (DOI: 10.1080/13562517.2022.2119078).

[25] Waldman, A. (2025). *The Impact of Artificial Intelligence Upon the Teaching of Constitutional Law*. Bond University, Gold Coast. Available online at: https://bond.edu.au/system/files/filedepot/104/220608%2520 AI%2520and %2520Constitutional%2520Law.pdf. Accessed July 15, 2025.

[26] Unikowsky, A. (2024). *The Future of LLM Judging*. "Harvard Journal of Law & Technology", 37(2), 456-478. Available online at: https://jolt.law.harvard.edu/.

[27] Freire, P., & Faundez, A. (1985). *Por uma pedagogia da pergunta*. Paz e Terra, Rio de Janeiro.

start from “generative themes” relevant to the students' reality, and practice in legal clinics and extension projects should be strengthened as a direct manifestation of alterity. The use of AI, in this context, must be ethical and mediated, with clear protocols for verification and citation, teaching students to “pilot” the technology with critical judgment. This transformation, however, is unfeasible without a parallel change in the training of educators. It is imperative that postgraduate programs assume responsibility for pedagogical training, and that institutions promote continuing education that is practical, reflective, and focused on the intersection between dialogical pedagogy and technology, preparing educators for the challenges of the 21st century[28].

6. Conclusion

The in-depth analysis of the recent trajectory of legal education in Brazil reveals a field in a state of permanent crisis, whose structural fragilities, with deep historical roots, have been successively exposed and aggravated by the “dual disruption” of the COVID-19 pandemic and generative artificial intelligence. The performance data from the OAB Examination, by acting as a seismograph of this instability, narrate a story of decline, ephemeral recovery, and a new fall, demonstrating that the educational system has failed to absorb these impacts in a resilient manner. The health crisis laid bare the pedagogical precariousness and digital illiteracy, while AI, by inserting itself into this vacuum, threatens to deepen the crisis, transforming it from pedagogical to cognitive, with the automation of thought and the erosion of critical reasoning.

It becomes evident that the problem lies not in the technology itself, but in the absence of a robust pedagogical project capable of integrating it critically and humanely. The persistence of a “banking” model of education, curricular fragmentation, and deficient teacher training have created an environment conducive for AI to be adopted as a substitute for intellectual effort, rather than as a tool to enhance learning. The most dangerous systemic consequence of this trend is the “uberization” of the legal profession, with the devaluation of intellectual craft and the deepening of inequalities in access to quality justice.

In this scenario, the proposal for a pedagogical reconfiguration founded on alterity is not a nostalgic or anti-technological suggestion, but rather the most urgent and necessary ethical and methodological compass. Dialogical pedagogy, inspired by Freire and Levinas, offers the exact counterpoint to the logic of automation. It reclaims the value of human interaction, deliberation, listening, and the co-construction of meaning as the core of the act of learning. By cultivating genuinely human competencies – such as empathy, contextualized ethical judgment, and collaborative creativity – alterity prepares future jurists for challenges that no machine can solve. The goal is not to banish AI

[28] Surden, H. (2019). *Artificial Intelligence and Law: An Overview*. "Georgia State University Law Review", 35(4), 1305-1337. Available online at: https://readingroom.law.gsu.edu/gsulr/vol35/iss4/15/.

from the classroom, but to subordinate its undeniable efficiency to the ultimate purpose of education: the formation of critical, autonomous subjects committed to human dignity. Furthermore, integrating AI ethically safeguards constitutional rights, such as fair trial protections under ECHR Article 6. Key considerations include: "Safeguarding the rule of law and the protections enshrined in the constitution requires a commitment to using AI in an ethical and informed manner, guided by a series of values that operate to minimize risk"[29]. This ensures jurists uphold democratic values, avoiding risks like hallucinated citations in legal contexts[30].

The future of the legal profession will depend on the educational system's ability to reinvent itself. In a world where information is an abundant and automated commodity, the value of the legal professional will increasingly reside in their humanity. Their ability to interpret the complexity of social relations, to weigh conflicting values, to communicate with empathy, and to exercise prudent ethical judgment will be their irreplaceable differential. Legal education, therefore, has an inalienable duty to abandon its outdated paradigms and embrace a pedagogy that is equal to these challenges, ensuring that the lawyers of the future are not merely operators of systems, but guardians of justice and dignity in a world of constant and vertiginous transformation.

[29] Moses, L. B., & Chan, J. (2024). *Mitigating the Constitutional & Rule of Law Risks Associated with the Application of AI to Law*. "Florida State University Law Review", 51(1), 29-98. Available online at: https://ir.law.fsu.edu/cgi/viewcontent.cgi?article=2615&context=lr. Accessed July 15, 2025.

[30] Ambrogi, B. (2024). *Not Again! Two More Cases of Hallucinated Citations in Court Filings Leading to Sanctions*. LawSites. Available online at: https://www.lawnext.com/2024/02/not-again-two-more-cases-just-this-week-of-hallucinated-citations-in-court-filings-leading-to-sanctions.html. Accessed July 15, 2025.