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India’s Moment to Restoring Balance to Copyright

Context

- The rapid development of **artificial intelligence** has reignited an old legal debate: the role of copyright in promoting creativity and access to knowledge.
- Originally intended to encourage learning and artistic production, **modern copyright law** has expanded into a powerful monopoly that increasingly restricts innovation, accessibility, and technological progress.
- Through historical analysis, real-world examples, and contemporary technological concerns, it becomes clear that rigid copyright regimes, particularly in the age of AI, obstruct rather than promote creativity.
- **Reforming copyright law** to include flexible exceptions, especially for accessibility and data analysis, is therefore essential.

Accessibility and the Right to Read

- The human impact of strict copyright laws is most visible in the struggle of visually impaired readers.
- For years, individuals could not legally obtain accessible-format books across borders, even when sighted readers could freely purchase the same works.

- The **Marrakesh Treaty**, achieved after sustained advocacy by disability rights groups, addressed this injustice by allowing accessible book formats and cross-border exchange.
- This episode reveals a deeper problem: copyright industries often resist exceptions even when they prevent disabled individuals from accessing knowledge.
- The conflict was not about economic loss but about control.
- The struggle for accessible books demonstrates that copyright can function not merely as a legal protection but as a barrier to fundamental rights such as education and information access.

The Historical Expansion of Copyright

- **Historical Context**
    - Understanding this issue requires historical perspective. Copyright law is relatively recent compared to art and literature.
    - The **1710 Statute of Anne** granted authors a limited 14-year monopoly, conditional on registration and public distribution through libraries.
    - The purpose was clear: encourage learning while ensuring knowledge eventually entered the public domain.
- **Modern Copyright Law**
    - Modern copyright law is dramatically different. Protection now arises automatically upon creation and lasts for the author’s lifetime plus seventy years after death.
    - Even trivial materials such as social media posts receive extensive legal protection.
    - Consequently, the public domain, once the default, has become the exception.
    - This transformation has produced what scholars call **copyright maximalism**, where protection is expanded regardless of public cost.
    - The result is a system that prioritises control over dissemination of knowledge.

Artificial Intelligence and Data Use

- The problem becomes more urgent with artificial intelligence. AI models require vast datasets, and language models in particular depend on analysing large volumes of text.
- **Copyright law**, however, treats **machine data analysis as equivalent to human reading** and this equivalence is flawed.
- AI systems do not read works for enjoyment or expression; they process statistical patterns.
- Many jurisdictions recognise this distinction. Countries such as Japan, Singapore, and members of the European Union permit text and data mining because it does not substitute for the original work.
- Japan’s law explicitly allows uses that do not involve experiencing the ideas or emotions of a work.
- Without similar provisions, legal uncertainty surrounds AI development.
- In several countries, even **web search engines technically violate copyright** because they must copy webpages to index them. Such restrictions hinder technological progress and research.

The Path Forward

- **Addressing the Concerns of the Impact of AI on Creativity, Employment, and Technological Change**
    - Critics argue that AI threatens creative professions, however, **copyright law is designed to encourage creativity,** not to preserve specific occupations.
    - History shows that technological change always reshapes labour markets.
    - Photography reduced portrait painting but expanded visual art. **Automation eliminated telegraph operators** and typesetters but created new professions.
    - The impact of AI on creative industries remains uncertain, and social policies such as public arts funding may be necessary.
    - Yet these concerns should not be addressed by restricting learning or data analysis through copyright law.
- **Toward Balanced Reform**
    - Rather than abolishing copyright, reform should restore balance. Laws should encourage contributions to the commons, such as **open-source datasets** and publicly accessible AI models.
    - Governments can curate public datasets and protect them from infringement claims when used for research and open innovation.
    - **Flexible exceptions**, similar to fair use or text-and-data mining provisions, would allow accessibility technologies, research tools, and AI systems to operate legally while still protecting commercial exploitation of creative works.
    - This approach aligns copyright with its original objective: **focusing on knowledge creation and dissemination.**

Conclusion

- Copyright law was established to promote **creativity and public learning**, yet its modern expansion often prevents both.
- From **restricting accessible books for the visually impaired** to creating legal uncertainty for AI research, rigid copyright regimes hinder innovation and access to knowledge.
- Artificial intelligence has exposed the **limitations of current law,** revealing the urgent need for reform.
- By adopting flexible exceptions and encouraging shared knowledge resources, **societies can ensure that copyright once again serves its true purpose**, advancing creativity, technology, and human understanding rather than obstructing them.

India’s Moment to Restoring Balance to Copyright FAQs

Q1. What is the main problem identified with modern copyright law?
Ans. Modern copyright law has expanded into a long-term monopoly that often restricts access to knowledge, accessibility, and technological innovation instead of encouraging creativity.

Q2. Why was the Marrakesh Treaty important?
Ans. The Marrakesh Treaty was important because it allowed visually impaired persons to legally access books in accessible formats and recognised a “right to read.”

Q3. How does artificial intelligence use copyrighted works differently from humans?
Ans. Artificial intelligence uses copyrighted works as statistical data for pattern analysis, while humans read them to experience meaning and expression.

Q4. What is meant by copyright maximalism?
Ans. Copyright maximalism refers to the expansion of copyright protection regardless of social consequences, often prioritising control over public access to knowledge.

Q5. What reform is suggested for copyright law?
Ans. The suggested reform is to introduce flexible exceptions such as fair use and text-and-data mining provisions to support innovation and public access while still protecting creators.

Source: **The Hindu**

Reimagining Higher Education for an AI-Driven India

Context

- The Union Budget 2026–27 marks a shift in India’s education policy approach — from mere expansion of institutions and allocations to strengthening the **quality**, **coherence**, and intellectual foundations of the educational ecosystem.
- It is the time when Artificial Intelligence (AI), geopolitical realignments, and technological disruption are reshaping global economies.
- The Budget recognises that India’s future competitiveness depends not on scale alone, but on building an **integrated, future-ready** knowledge system, and India’s aspiration to emerge as a global knowledge power.

Education in the Age of AI – Beyond Technical Proficiency

- AI is transforming how knowledge is produced, transmitted, and applied. In such a world –
    - Routine, pattern-based tasks are increasingly **automated**.
    - Human value lies in critical thinking, creativity, contextual judgement, and interdisciplinary integration.
    - Education-employment linkages are no longer linear or static.
- The Budget rightly avoids privileging one discipline over another or reducing education to short-term market alignment. Instead, it stresses –
    - Interdisciplinary learning
    - Future-ready skills
    - Innovation-led education

    - Ethical and social grounding in knowledge systems
- The reference to ancient **Nalanda** underscores a civilisational model of integrated learning — where astronomy, law, literature, theology, and mathematics coexisted without rigid boundaries.

Strengthening the Education–Employment–Enterprise Nexus

- The Budget proposes a **High-Powered Standing Committee** to examine linkages between education, employment, and enterprise, particularly in the services sector, emerging technologies, and AI-driven industries.
- If effectively operationalised, this could address persistent gaps in –
    - Curriculum relevance
    - Pedagogical reform
    - Institutional infrastructure alignment
- This is significant in the context of India's demographic dividend and employability challenges.

Expanding Access and Inclusion in STEM – Bridging Gender Gaps

- While women have played visible roles in national scientific projects — from the Chenab Bridge to the Mars Orbiter Mission — structural barriers persist, especially in Tier-2 and Tier-3 regions.
- The Budget's targeted investments aim to –
    - Increase women's participation in STEM-intensive institutions
    - Strengthen the talent pipeline
    - Democratise access to scientific careers
- Diversity in classrooms is presented not merely as a social good, but as a driver of better science, better design, and **better decision-making.**

Design Education – Building Creative Capital

- The Indian design industry is expanding rapidly, yet faces a **shortage** of trained designers.
- The Budget's focus on –
    - Strengthening design education
    - Expanding capacity in the eastern region
    - Promoting creative capabilities
- The Budget reflects a deeper understanding that design thinking sits at the **intersection** of technology, humanities, arts, and social realities.
- Design education cultivates **empathy**, systems thinking, user-centric innovation, and cross-domain integration.
- This aligns with global shifts toward **innovation** ecosystems rather than production-led growth alone.

Scientific Infrastructure – Anchoring Frontier Research

- **Astronomy as strategic investment:** The Budget places special emphasis on strengthening India's astronomical research ecosystem.

- **For example,**
    - **Himalayan Chandra Telescope (Hanle, Ladakh)**: The upgrading of the telescope enhances India's observational capabilities and supports domestic frontier research.
    - **National Large Optical Telescope (Proposed, Ladakh)**: The advancement of plans for the telescope marks a long-awaited milestone for India's astronomical community.
- These investments anchor a high-tech ecosystem of researchers and small-scale industry, enable Indian scientists to **lead research** from Indian soil, and offer students access to world-class platforms.
- Support for modern planetariums strengthens the research–public engagement link, fostering scientific temper (**Article 51A(h)**).

Science Inspiration and National Missions

- The catalytic effect of national missions on youth imagination is well established. For example,
    - The success of **Chandrayaan-3** made astrophysics a visible career pathway.
    - The upcoming human spaceflight under **Gaganyaan** is expected to deepen scientific aspiration.
- New telescopes and research platforms can replicate this catalytic impact across regions.

Integrated Educational Imagination (Breaking Silos)

- The central philosophical thread of the Budget is **integration**. Universities must evolve into spaces where –
    - Engineers engage with ethics and philosophy
    - Scientists study history and social theory
    - Designers grapple with real-world social complexity
    - Students learn to communicate across differences
- This becomes critical in the AI age, where **algorithmic** decisions carry deep **societal implications** — including bias, accountability, and governance concerns.
- The National Education **Policy 2020** already laid the foundation for multidisciplinary universities, flexible curricula, academic credit banks, and research integration.
- The Budget reinforces and operationalises this vision.

Key Challenges and Way Forward

- **Implementation deficit**: Translating intent into institutional reform. Institutionalise the education–employment standing committee with measurable outcomes. Monitor NEP implementation through transparent performance metrics.
- **Faculty capacity constraints**: Interdisciplinary teaching requires re-trained faculty.
- **Regional inequalities**: Access gaps between metros and smaller towns. Develop regional innovation clusters around new scientific infrastructure.
- **Funding sustainability:** High-end scientific infrastructure demands long-term support. Incentivise interdisciplinary research through funding reforms.
- **Industry-academia disconnect**: Persistent lag in research commercialisation. Strengthen public-private partnerships in design and frontier research.

- **AI governance and ethics gaps**: Need for regulatory and ethical frameworks alongside technical growth. Embed AI ethics, digital governance, and social responsibility in curricula.
- **Gender gap**: Expand scholarships and mentorship programmes for women in STEM.

Conclusion

- The Union Budget 2026–27 recognises a fundamental truth: in an AI-driven century, nations compete not merely through infrastructure or enrolment numbers, but through the **intellectual architecture** of their education systems.
- By linking design, science, inclusion, innovation, and interdisciplinary learning, the Budget gestures towards a more coherent educational imagination — one aligned with the **Viksit Bharat**
- The task ahead lies in weaving these strands into a sustained institutional transformation. If executed effectively, India can redefine educational excellence in the AI era.

Reimagining Higher Education in India FAQs

Q1. Why is interdisciplinary education critical for India’s higher education system?

Ans. In an AI-rich world where machines automate routine cognition, human competitiveness lies in critical thinking and ethical reasoning.

Q2. What is the significance of strengthening scientific infrastructure?

Ans. Investments in frontier facilities anchor domestic research ecosystems, reduce technological dependence, etc.

Q3. How can institutional mechanisms linking education, employment, and enterprise improve India’s demographic dividend outcomes?

Ans. It ensures curriculum alignment with emerging sectors, enhancing employability and productivity in a dynamic services economy.

Q4. What is the importance of improving women’s participation in STEM?

Ans. It strengthens the national talent pipeline, enhances innovation diversity, and addresses structural gender inequities in knowledge sectors.

Q5. Why is design education increasingly central to national capacity-building?

Ans. Design thinking integrates technology, humanities, and social realities, enabling user-centric innovation.

Source: IE

India’s ‘Third Way’ for AI governance

Context

- As the AI Impact Summit unfolds in Delhi, global leaders and technology experts are debating how artificial intelligence should be governed at a time marked by both opportunity and uncertainty.
- The central challenge is finding a model that **promotes innovation** while addressing the **known and emerging risks of AI**.
- India, as host, has positioned itself as offering a "***Third Way***" in AI governance.
- Unlike the European Union's compliance-heavy regulatory framework, the United States' largely market-driven approach, or China's state-centric model, India seeks a path tailored to the realities of the global majority.
- The aim is to enable broader participation in AI markets while crafting governance mechanisms suited to diverse economic and policy contexts.
- This article highlights India's emerging "Third Way" for AI governance, positioned between the European Union's compliance-heavy model, the United States' market-led approach, and China's state-centric system.

India's Distinct AI Governance Model

- **Beyond Regulation: A Governance Framework**
    - In November 2025, India released its AI governance guidelines, designed not merely as a regulatory tool but as a broader governance framework.
    - As noted by experts, the framework extends beyond risk mitigation to include adoption, diffusion, diplomacy, and capacity-building.
    - Rather than introducing standalone AI legislation, it works within existing legal structures, aiming to remain agile and adaptable as the technology evolves.
    - The framework prioritises inclusive AI deployment in sectors such as healthcare, agriculture, education, and public administration, translating high-level principles into practical guidance while allowing room for future refinement.
- **Early Regulatory Steps**
    - India has already begun implementing this approach. Amendments to the IT Rules now require platforms to **label AI-generated content** and enforce a three-hour takedown window for harmful material.
    - This marks one of the first government-mandated AI disclosure requirements globally.
    - However, ensuring effective **enforcement**—particularly against large technology platforms—while safeguarding democratic norms and human rights will require international coordination.
- **Implications for the Global South**
    - The concentration of AI investment among a few private actors in the Global North has created structural imbalances in access and governance.
    - Many countries remain dependent on proprietary AI systems, which may not align with local economic or social priorities.
    - India's model, grounded in strategic autonomy and public-private collaboration, offers an alternative.

- It advocates for shared research infrastructure, safety evaluation frameworks, and collaborative risk assessment among middle powers.

- **A Coordinating Role for India**
  - Given its scale, digital infrastructure experience, and growing AI ecosystem, India is positioned to convene cooperation across the Global South.
  - By promoting collaborative governance and inclusive AI development, it seeks to create a pathway that balances innovation, sovereignty, and equitable growth.

Bridging the Gaps in India's AI Governance Model

- **The Missing Human-Centric Safeguards**
  - While India's AI governance framework emphasises innovation and adoption, critics highlight a critical gap: insufficient protection for workers displaced by automation.
  - A governance model that accelerates AI diffusion without ensuring labour safeguards, transparency standards, accountability mechanisms, and whistleblower protections risks deepening inequality rather than addressing it.
  - Inclusive AI must extend beyond infrastructure and innovation to protect those most vulnerable to technological disruption.

- **Need for Minimum Global Standards**
  - Effective coordination requires shared minimum safeguards—mandated transparency from AI developers, accountability frameworks, and protections for affected communities.
  - Without these foundational principles, even well-intentioned international collaboration may falter. Governance must balance strategic autonomy with enforceable human-rights safeguards.

- **AI Impact Summit: A Strategic Opportunity**
  - The AI Impact Summit offers India a platform to demonstrate what equitable AI governance can look like.
  - By fostering robust public-private partnerships across the technology stack and distributing gains more fairly, India can position itself as a hub for agile, middle-power collaboration in AI governance.

- **A Defining Moment for the 'Third Way'**
  - The coming year will test whether India can successfully integrate innovation, national security, and human welfare.
  - If these gaps are addressed, India's "Third Way" could emerge as a credible global model; if not, governance weaknesses may undermine its ambition.

India's 'Third Way' for AI governance FAQs

Q1. What is meant by India’s “Third Way” in AI governance?

Ans. India’s “Third Way” refers to a governance model that balances innovation and risk management, tailored to Global South realities rather than copying EU, US, or Chinese approaches.

Q2. How does India’s AI framework differ from standalone AI legislation?

Ans. Instead of enacting a separate AI law, India integrates governance within existing legal structures, focusing on adaptability, sectoral deployment, and capacity-building alongside risk mitigation.

Q3. Why is India’s model significant for the Global South?

Ans. Many developing countries rely on proprietary AI systems. India’s approach promotes strategic autonomy, shared infrastructure, and collaborative governance suited to diverse economic contexts.

Q4. What are the main criticisms of India’s AI governance model?

Ans. Critics argue it lacks strong labour protections, transparency mandates, whistleblower safeguards, and enforceable accountability mechanisms to address displacement and systemic AI-related harms.

Q5. Why is the AI Impact Summit considered a strategic opportunity for India?

Ans. The summit allows India to shape inclusive AI governance globally, build middle-power alliances, and demonstrate how innovation, sovereignty, and human rights can coexist.

Source: TH
