



BEYOND THE BLACK COAT: DEMOCRATIZING JUSTICE THROUGH LEGAL AID AND TECHNOLOGY

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ABSTRACT

This paper analyses the growing gap between the ideal of universal justice and the realisation of access to justice in today's society. The transformation of "Lady Justice" from a mythological figure to a principle of law is used to demonstrate how justice has changed from being a fundamental entitlement to a market-based commodity. Using the context of the Indian legal system, Article 39A, the Legal Services Authority Act of 1987 and the NALSA hierarchy, the article discusses how legal aid is the "lifeblood" of preventing the Constitution from being treated as just "a piece of paper." Grassroots efforts such as Barefoot Lawyers and Lok Adalat are reviewed in terms of their effectiveness, while also being scrutinised for their potential negative effects in relation to technological change. That is, although the use of AI and ODR represents a "delivering" solution to the issues of delay and cost, they may also lead to a new "digital divide". Finally, the article concludes that true justice will be found in a decentralised, humanised system of legal rights as opposed to in grandiose courtrooms; hence, legal considerations must be treated as a 39 debt rather than as a gift from the state to its citizens.

Keywords: Access to Justice, Legal Aid, Digital Divide, Online Dispute Resolution, Lok Adalat.

INTRODUCTION

The Paradox of Lady Justitia: Representing Justice as a female figure that is depicted with Themis, the Greek Goddess of Law, and Justitia, one of the four Virtues in Roman mythology. Over time, Justice became associated with scales to represent impartiality and a sword to symbolise power. During the 16th century, Justice was often portrayed with a blindfold, and

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today it is accepted as a symbol of impartiality and fairness. The female figure representing Justice is one of the most recognised legal symbols visible at the Supreme Court Building.

However, in the lived experience of millions, those scales are often weighted by wealth, status, and geography. If the doors of the courthouse are only open to those who can afford the key, then justice is not a right-it is a commodity. Basically, Justice is the principle of "rightness." It implies fairness, impartiality, and the upholding of rights for the people.

The saying attributed to Judge Sturgess states that "Justice is open to everyone in the same way as the Ritz Hotel."¹

This irony, written decades ago, remains a haunting reality in 2025. While our constitutions promise "Equality Before the Law," The entrance fee to the courtroom often remains high. If justice is a right, why does it so often feel like a purchase?

When we think about what it means to re-imagine justice, we aren't just looking at the Supreme Court, where there are beautiful mahogany benches, but we are also looking at those who live every day with the knowledge that "The Law" does not offer them a path, but instead is a barrier to their success.

LEGAL AID-THE LIFEBLOOD OF THE CONSTITUTIONAL MANDATE

Legal Aid would act as the bridge between the promise of rights (under our Constitution) and the reality of receiving relief for those rights. Ubi Jus Ibi Remedium means that "Where there is a right, there is a remedy." This means that whenever a duty is breached, a right will come into being, but if the state offers you a right without offering you a method to enforce that right, what happens?

For the actual implementation of the right, "Legal aid acts as a lifeblood of the Rule of Law; without it, the Constitution becomes a 'parchment barrier'-impressive to look at, but unable to protect the vulnerable from the winds of injustice". That includes legal representation in court, legal advice and awareness, especially for poor, marginalised, and mobile populations such as migrants and refugees, the economically weaker section of society who fall within the scope of section 12 of the 1987 Act. It helps promote online dispute resolution through E-Courts, provides remedies for undertrial prisoners who are unaware of their right to bail, and helps

¹ Glanville Williams, Learning the Law (17th edn, Sweet & Maxwell 2020) 4

them survive the majority of their conviction period in prison before the court passes a decree. Additionally, it informs victims about their rights.

Rights are illusory without the means to enforce them. Let's take a hypothetical situation where a dispute arises between parties in which one party is not eligible to plead because of a lack of financial resources, legal awareness and high cost involved, it is determined by wealth, not by Justice, where Article 14² is breached, which states equality before the law. That's why Legal Aid is considered a crucial step for justice regarding the duty not to charity that ensures the gate of justice is open to all, regardless of economic status. Justice cannot be delivered without hearing both sides as per the maxim of Audi Alteram Partem, as it is required to satisfy the rules of natural justice, which preclude a person from being penalised without a fair opportunity to be heard.

GRASSROOTS JUSTICE DELIVERY MECHANISMS

For the Alternate Dispute Resolution (ADR), Article 39A³ governs the most people-centric justice-delivering mechanism by the state, that is 'Lok Adalat', also known as the people's court, which is recognised under the Legal Services Authority Act, 1987⁴. According to the Ministry of Law and Justice,⁵ Lok Adalat resolved 10.5 crore cases in 2025. It's a framework that strengthens Article 39A, guaranteeing equal access to justice and free legal aid. To support the Legal aid in Bharat, the mechanism of Lok Adalat is performed by the National Legal Service Authority (NALSA)⁶, which acts as a policy-making and funding body. State Legal Service Authority (SALSA) acts as a policy-making and funding body. The District Legal Service Authority (DALSA) acts as a responder and grassroots executor that provides a victim-free lawyer, legal literacy camps and pre-litigation counselling, established under the Legal Service Authority Act, 1987.

A member who is involved in Legal aid service is a barefoot lawyer/community member, including teachers, social workers, and village leaders, who provide basic legal care where professional lawyers are too expensive or physically distant. NALSA trains thousands of

² The Constitution of India 1950, art 14

³ The Constitution of India 1950, art 39A

⁴ The Legal Services Authorities Act 1987

⁵ Department of Justice, Ministry of Law and Justice (Government of India), 'Designing Innovative Solutions for Holistic Access to Justice (DISHA)' (Guideline Document, 2021) <<https://doj.gov.in/>> accessed 22 May 2026

⁶ National Legal Services Authority, 'Standard Operating Procedure for Legal Aid Defense Counsel System' (NALSA 2025) <<https://nalsa.gov.in/>> accessed 22 May 2026

volunteers to act as "bridge-builders" between the legal services authorities and the public. While the Supreme Court is the guardian of the Constitution, the **Barefoot Lawyer** is its messenger. Reimagining justice requires us to move beyond the elitist 'black coat' culture of courtrooms and empower a frontline of community advocates who ensure that legal remedies are as local as the problems they solve. The Initiative taken in 2017 by the government through launching the legal aid and empowerment programme, namely Tele-Law, which is an e-interface that strengthens pre-litigation, consultation, connectivity with panel lawyers at the panchayat level and 2 other programmes, that is Nyaya Bandhu, promoting pro bono legal service and Nyaya Mitra for facilitating the reduction of pendency cases.

JUDICIAL BENCHMARKS: FROM DEMAND-DRIVEN TO DELIVERY-BASED

Hussainara Khatoon v. Home Secretary, State of Bihar stands as a landmark judgement to remind that the liberation of under-trial prisoners who languished for years in prisons in Bihar awaiting trial because of their poverty means that it is only through the reimagining of justice that this can be achieved. The Supreme Court has further held that Article 21 of the Indian Constitution provides for the Right to Speedy Trial and the Right to Free Legal Aid for all persons who cannot afford legal representation. The tragic case of the Death of the Intellectually Disabled Rape Survivor (on or around Nov. 2021) serves as an unfortunate reminder that "paper rights" do not equal "practical justice". Although the State has an established Victim Compensation Scheme pursuant to Section 396 of the BNSS, the survivor died before receiving the legal compensation she had been entitled to. By mandating that trial courts must affirmatively order compensation to victims without forcing them to traverse Geneva's bureaucratic maze, the Supreme Court has indicated that reimagining justice will also entail transitioning from a "Demand-Based" system of delivering justice to a "Delivery-Based" system of delivering justice.

The first international instrument adopted by the General Assembly in 2012 is the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice that include principles like non-discrimination, equity in access, independence, implementation, legal assistance, representation and restorative justice. It's a benchmark to justice that argues Legal aid is not a luxury but a human right obligation that mirrors the global vision of India's hierarchy of NALSA, SLA, and DLSA.

THE TECHNOLOGICAL FRONTIER: INTEGRATION AND IMBALANCES

Every problem has a solution; the above conflicts have technological solutions, like Online Dispute Resolution (ODR), which is more than just "Zoom court." It represents a shift from litigation to problem-solving. These platforms often use "blind bidding" or structured negotiation tools that remove the emotional volatility often found in face-to-face confrontations, leading to faster, more amicable settlements.

AI-Driven Triage and Natural Language Processing (NLP) For most people, the toughest part is 'naming' their legal problem. The justice system should approach AI chatbots, Apps that are trained on large databases of case law, can act as a 'Digital Saviour'. Through simple conversational interfaces, they can check whether a user has a legal grievance like a wage theft claim, nuisance or any other petty cases. The use of chatbots and apps for drafting standard legal documents and directing you to the right administrative office will allow legal aid workers to spend more time working on more complex cases that require compassion and advocacy. The "digital frontier" has not been built at the same level for everyone, and if we transfer the justice gatekeepers (courthouses) from the courthouse to the smartphone, we need to make sure that this does not create a digital divide. The New Digital Divide is that access to justice cannot be predicated on having a high-speed data plan or a high-end smartphone. For the elderly who are "digitally illiterate," or those in rural "dark zones," a purely digital system is an invisible wall. Without careful design, we risk replacing a financial barrier with a technical one. But when we use AI to prioritise cases or suggest settlements, we risk hard-coding existing societal biases into the software. An algorithm that has learned from historically discriminatory data will produce a digital interpretation of past prejudices in its "Digital Justice" output. Therefore, to encapsulate everything, the evolution of justice in India is a shift from elitist access to public service. The blindfold worn by Lady Justice (as emblematically represented in Indian culture) may be representative of fairness; however, the state cannot be "blinded" to the structural barriers faced by poor individuals in accessing justice. The historical progression from the Hussainara Khatoon ruling to the present digital age provides clear evidence that legal aid is a recognised legal obligation to all citizens and is, thus, NOT an act of benevolence.

The success of the Lok Adalat and the emergence of "Barefoot Lawyers" prove that decentralising and humanising Justice can provide the best results. However, with advances in Tele-law and AI, a paradox arises because while these technological advances help bridge the geographical distance for some people from their lawyers, they are also establishing a digital

divide for those on the poor end of the economic spectrum. To continue to preserve Justice as a fundamental right instead of being treated as a commodity, Justice must transition to a "Delivery-Based" model that becomes the measure of success in every country.

A democracy does not measure its success based on how large the courthouse is; instead, it is measured by how easily its most needy citizens can walk through that door. The promise of the Constitution will only be fulfilled when the "Ritz Hotel" of Justice can provide free services to the person on the street.

CONCLUSION

In conclusion, this article suggests that real justice cannot be achieved by large high-end courtrooms or measured by the square footage of a courthouse; it must be present within the context of a decentralised, humanised legal rights system. The Indian legal system has developed dramatically (moving from elite access to public service), demonstrating that legal rights should be viewed as a constitutional obligation of all citizens and not as a privilege granted by the state or as a form of charitable gesture. The goal of creating equal access to legal rights is best achieved by moving away from an elite "black coat" culture and toward a more grassroots-oriented, people-centred approach through mechanisms such as Lok Adalats and Barefoot Lawyers, both of which have been demonstrated to provide legal remedies to at-risk populations through humanising and localising legal processes.

The future of the court system as it moves to a digital system using technology such as Tele law, Provide Online Dispute Resolution (ODR) and Artificial Intelligence (AI), there is a clear contradiction present, as these technologies, although they assist greatly with reducing delays in court systems and lowering costs associated with the process of litigation, may, in fact create an additional Digital Divide where individuals cannot use the requisite technology needed to access the justice system. If a Justice framework is strictly digital in nature, this will create an "invisible" barrier to entry solely based on the cost of the technology and the inability to access that technology in Rural locations.