
EXPLAINABLE AI AND THE RIGHT TO REASONED JUSTICE: ASSESSING THE CONSTITUTIONAL LIMITS OF AI-ASSISTED DECISION-MAKING IN INDIA

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ABSTRACT:

In these contemporary years, there has been a growing trend towards the use of Artificial Intelligence (AI), to assist the development of procedures related to judicial management and make the same more systematic, expeditious and comprehensive. Alas, such expanding use of AI- aided instruments in the judicial governance, results in many constitutional disputes because of the deficiency of an intelligible reasoning behind the AI's advices or resolutions that might have a considerable impact on the legal decisions. This paper will look into the idea of Explainable Artificial Intelligence, focus on the need for the constitutional reforms and will traverse whether, black-box AI systems can be used in the Indian Legal System from the context of constitutional ideas¹. It contends that, transparency and ratio decidendi are not only essential for the procedural law but, also to uphold the idea of natural justice, rule of law and to fulfill the essentials of Article 14 and 21 of the Indian Constitution. Through an ideological and relative research of ideals of the Constitution, judicial principles and developing routes to AI management, the study explores whether misty or "black-box" AI systems can be lawfully integrated in judicial procedures. The paper asserts that, there is no doubt that, AI serves as an effective tool but still, its usage in judicial adjudication must be done in accordance with accountability and relevant determination. It concludes that, reasoned justice is a right and increases the importance of adopting strong and protective barriers to support technological development, rather than eat away the constitutional ideas and trust of the public in the justice system².

Keywords: Explainable Artificial Intelligence, Judicial Decision-Making, Reasoned Justice, Constitutional Law, Natural Justice.

¹ Tatia Dolidze, Artificial Intelligence in Judicial Decision-Making: *Can a Robot Replace a Judge ?*, *Law & World*, March.2026, <https://lawandworld.ge/index.php/law/article/view/954>.

² Woxsen University, *Exploring the Use of AI in Legal Decision Making: Benefits and Ethical Implications*, White Paper, 2025, <https://woxsen.edu.in/research/white-papers/exploring-the-use-of-ai-in-legal-decision-making-benefits-and-ethical-implications/>.

INTRODUCTION: JUSTICE IN THE AGE OF ALGORITHMS

The administration of justice is experiencing an altogether different transition as Artificial Intelligence (AI) has somewhat found its existence in the legal system of each and every country. Earlier, cases were decided with the help of the human mind, as it is still capable of questioning, reasoning and finding the answer of each and every question. People who were brilliant at such decision-making, interpretation, discretion or understanding the social consequences of each and every dispute, found a very special place in the legal system. Such people are called Judges and Advocates. Still advocates solve their client's dispute through persuasion and argument, and judges, on the other hand, still rely on the statutes, rule of law and the principle of natural justice to decide the matter³. However, AI has been a crucial player in changing the whole game, as it introduced new opportunities and possibilities for making the legal process more efficient, less time consuming and accessible to each and everybody. Initially from doing legal research to now performing the function of language translation or management of cases, AI has become and is still becoming an important part of the justice delivery process.

India is equally making sure that, its very own legal system does not rely on primitive methods and has taken a technological shift. Steps like the Supreme Court Portal for Assistance in Court Efficiency (SUPACE), the Supreme Court Vidhik Anuvaad Software (SUVAS) and the e-courts project, shows essential steps adopted so as to make the judiciary not only modern and accountable, but also addressing the issues such as backlog of cases, no transparency, corruption and administrative inefficiencies. These technologies have been introduced so that, judges can make a use of them and replace them with the primitive method of deciding the matters demonstrating a vigilant approach towards the incorporation of AI within the legal system.

The advantages of AI can never be ignored or overlooked but, the process of consolidation of AI into the legal system has posed a serious question: **“Will people be able to trust on the judicial decisions given by AI, when its own reasoning cannot be fully understood”** ? AI models like ChatGPT, and Gemini work as “black boxes”, providing answers to people's doubt or questions without clear explanations, as to what is the foundation of the answer. Such opaque

³ Press Info. Bureau, Ministry of Law & Justice (India), *From Digitization to Intelligence: How AI is Enhancing Access to Justice in India* (Feb.28, 2025) <https://www.pib.gov.in/PressNoteDetails.aspx?NoteId=157293&ModuleId=3®=48&lang=1>.

answers prove that, AI cannot be trusted blindly, which why our own teachers and professors ask us to use AI as less as we can. This affects the ability of the human beings to challenge the answer provided by AI. When such ability is affected in day to day lives, then how can AI be used efficiently within the courts, as it is the duty of the judges to give reasoned decisions. Because if they will not be able to perform the only duty they have apart, from providing justice, then, the foundation of the whole legal system will turn into shambles and, it would be difficult for the judges to uphold the principles of natural justice or rule of law⁴.

The Preamble of our Indian Constitution was created, so that the Indian citizens themselves and the foreign countries get to know about equality, freedom, liberty, justice etc. which forms the foundation of the Indian Constitution and that, it upholds the same. The only essential which Article 14 and 21, requires to be fulfilled is that, every decision must be given through a fair and transparent procedure, affecting the rights and liberties of any person. Also, any order passed in any case must reflect the fact that, the judge applied his mind and attentively reviewed the case. So with the advancement of AI, while deciding a case, the judge must make sure that these constitutional expectations are fulfilled, so that the legal system can continue to be accountable towards its citizens⁵.

In such instances, the concept of Explainable Artificial Intelligence (XAI) can be put to use efficiently. This form of AI, makes sure that any output generated by any AI device can be appreciated, elucidated and assessed by human beings. In our very own judicial system, this feature of explainability has become a constitutional necessity as reasoned decisions promotes transparency, accountability and widespread acceptance of such decisions. The issue is not whether, AI should be used in courts on a daily basis, but how it can be consolidated without ignoring or contradicting the constitutional principles.

Thus, what actually needs to be understood is the relationship between AI and constitutional principles, understand the banes of using opaque AI systems and propose such a solution, which can ensure answerable positioning within the Indian judiciary. In doing so, it looks for signifying that, technological advancement must remain inferior to the constitutional aspects of fairness, transparency and responsibility.

⁴ Juan David Gutierrez, UNESCO, *Guidelines for the Use of AI Systems in Courts and Tribunals*, (2025), <https://www.unesco.org/en/articles/guidelines-use-ai-systems-courts-and-tribunals>.

⁵ Woxsen University, *supra* note 2.

UNDERSTANDING EXPLAINABLE AI AND THE BLACK-BOX PROBLEM

Artificial Intelligence has now found its place in various sectors of the society like, healthcare, education, finance, and law. In all these sectors, it is largely used for the purpose of decision making. Specifically in the legal domain, AI has become much more prominent than in the other sectors, because it can be used for multiple purposes like case management, legal research, document review or providing assistance to lawyers and judges. While offers its own advantages, with respect to speed, efficiency, time management etc. But it also suffers from disadvantages like, non-transparency, accountability, trust etc. This debate has its source in the concept of Explainable AI⁶.

Explainable Artificial Intelligence refers to those AI systems, which are capable of providing an explanation and understanding to the output generated by such AI. XAI provides comprehensive reasoning of a particular outcome. The aim is to not only receive accurate and trustworthy results, but also to make sure that, humans become more and more capable to understand and evaluate the results generated. Therefore, XAI has become a prominent and crucial requirement in situations where, the output must be genuine and has the capability to be relied upon, so as to avoid grave social, legal or economic consequences.

To resolve the “**black-box problem**”, XAI is the only solution⁷. Many AI systems, including those which generate outputs through a complex process or are based on deep learning, are often difficult to interpret and understand even by the developers themselves. These systems, no doubt, provide highly accurate data but, little or no explanation to the data generated. This opacity creates a doubt in the mind of the users, whether the data can be relied upon or not, as transparent reasoning is equally important like the outcome.

The concept of ***Ratio Decidendi***⁸, is the foundation of our legal system and is followed with high regard and discipline. That is because, any decision of the court which might affect an individual or individuals, must be supported by a reason, so that, any individual cannot challenge the truthfulness of the court or allege that, the court is biased towards the opposite

⁶ Sandra Wachter, Brent Mittelstadt & Chris Russell, *Counterfactual Explanations Without Opening the Black Box: Automated Decisions and the GDPR*, 31 Harv. J.L. & Tech. 841 (2018), <https://jolt.law.harvard.edu/assets/articlePDFs/v31/Counterfactual-Explanations-without-Opening-the-Black-Box-Sandra-Wachter-et-al.pdf>

⁷ IBM, *What is Explainable AI (XAI)?*, IBM Think, <https://www.ibm.com/think/topics/explainable-ai>

⁸ LexisNexis, *Ratio Decidendi*, LexisNexis UK, <https://www.lexisnexis.co.uk/legal/glossary/ratio-decidendi>

party. Reason for every decision is also provided, so as to show the application of the judge's mind upon the matter and the lawyers also have a right to know that, why a particular decision has been given. When such decisions or their reasoning will be generated through AI, without any explanation, then the foundation of the entire legal system will be compromised and the judiciary will not be able to continue to be accountable towards the society. Also, if AI's reasoning is complex and ambiguous, then the parties themselves will not be able to challenge the decision, which at the end of the day will violate the principles of natural justice.

An explained decision, according to legal scholars, may result in errors, bias or baseless assumptions integrated within the training data. As explainability is closely related to fairness and accountability, it becomes important that any decision of the court shouldn't affect the liberty, reputation or freedom of an individual. If the decision doesn't reflect a correct legal reasoning, but only the historical inequalities integrated within the data, then it would be extremely difficult to maintain transparency.

But at the same time, explainability should not be understood as only a technical requirement. It is directly related to constitutional principles of fairness, accountability and specially, rule of law. Recently, scholars have suggested that explanation to any decision must be such that, makes individuals understand why a particular decision was given, its adverse outcome and enables effective decision making.

Therefore, the debate of Explainable Artificial Intelligence is not only limited to technology, but extends to the realm of constitutional governance. As AI now, plays an active role in the legal field, what is important is not only whether technology can assist courts but that whether, algorithmic systems are capable of providing explanations to a decision that, satisfy the legal system's need for transparency and reasonable decision-making. The answer to this question has its source in constitutional legitimacy of AI- aided justice in India.

THE CONSTITUTIONAL FOUNDATION OF REASONED JUSTICE IN INDIA

The basic principles which govern our Indian Constitution like, equality, freedom, justice, rule of law etc. forms the foundation on which it stands strongly and firmly. It is because of these principles that, our Constitution is abided by strictly by the society. The judgments pronounced in each and every case are considered legitimate not only because of the output it produces, but also for the reasoning that is provided for it. The concept of reasoning, has not been made only

for the society but, also for the judges so that, they do not exercise their judicial power arbitrarily, rather exercise it according to law. In terms of AI, for resolving a dispute, reasoning becomes an essential as we cannot blindly rely on those algorithms, which do not provide a proper reasoning.

The concept of reasoning is associated with the concept of Rule of Law, which is an essential feature of the Indian Constitution. The Indian courts have held in many matters that, arbitrariness is the very opposite of constitutional governance. In *E.P. Royappa v. State of Tamil Nadu (1974)*⁹, the Supreme Court held that, arbitrariness and equality are enemies of each other and thus, a link was created between the two. A judgment without reasoning, is considered arbitrary and violated Article 14 of the Indian Constitution.

Apart from reasoning, the concept of **Audi Alteram Partem**, which ensures that every person is given a fair opportunity to be heard, is an essential component of principles of natural justice. But if the affected party himself/herself is unable to understand the reasoning of the decision by the court then, the right to be heard at the end of the day, becomes ineffective. Therefore, reasoning or explanation becomes equally important in AI-aided justice, because without an explanation, litigants will not get the opportunity to challenge the reasoning of the decision. Because of this, the role of litigants in a case will fade away. Thus, courts have repeatedly recognized this close link between reasoning and fairness, so as to avoid an arbitrary decision-making.

In the landmark case of *Maneka Gandhi v. Union of India (1978)*¹⁰, the idea of reasoned decision was further strengthened by Article 21 of the Indian Constitution, which ensures that, no person is deprived of his life or personal liberty except according to the procedure established by law. The Supreme Court in this case, expanded the scope of Article 21 by deciding that, a fair procedure is an essential and vital requirement of the Indian Constitution. So any technology, if being used during the adjudication, must be fair, transparent, and accountable.

In *Kranti Associates Pvt. Ltd. v. Masood Ahmed Khan (2010)*¹¹, it was held that, recording reasons in a matter, can never be ignored or compromised with, whether in judicial, quasi-

⁹ E.P. Royappa v. State of Tamil Nadu, (1974) 4 SCC 3.

¹⁰ Maneka Gandhi v. Union of India, (1978) 1 SCC 248.

¹¹ Kranti Associates Pvt. Ltd. v. Masood Ahmed Khan, (2010) 9 SCC 496.

judicial or administrative resolutions. It was observed that reasoning promotes judicial review, prevents arbitrary actions and satisfies the fact that, justice is not only done, but is seen to be done. The court expressed reasons as the **“Soul of Justice”**. So the principles and values enshrined in Article 14, 21 of the Indian Constitution, Principles of Natural Justice and Judicial Precedents comprehensively, are a constitutional necessity for reasoned decisions. As AI now plays a vital role in judiciary, these constitutional principles are the standard in opposition to the validity of AI-assisted decision-making.

ROLE OF AI IN THE INDIAN JUDICIARY: PROMISE, PRACTICE AND POTENTIAL

The Indian Judiciary has progressively accepted Artificial Intelligence as a member of its comprehensive digital transformation program, acknowledging its capability to improve productivity, convenience and overall administration of justice. Suffering from humongous pending cases, procedural delays and many other backdrops, courts have now started using AI efficient tools, which have the ability to help judges in performing day-to-day tasks in the court, so as to save time and money of the society and of the judiciary. This approach right now, is being cautiously used by the Indian Judiciary, where these AI tools are being used to help judicial functioning and not substitute the same, as that is truly impossible right now. This difference in the approach shows, that Indian Judiciary is slowly becoming modernized but, is not trying to compromise the human judgment by harnessing technology to our judicial institution, so as to achieve efficiency only.

The introduction of **Supreme Court Portal for Assistance in Court Efficiency (SUPACE)** in the Indian Judiciary should be considered, one of the very first prominent development, to assist judges in legal research by evaluating case files, recognizing relevant precedents, and summing up large volumes of legal documents. This portal does not help judges in coming to a conclusion in a case or deciding the matter, rather it acts as a supportive research-tool, that helps judges in understanding the information clearly. SUPACE provides an opportunity to the judges to save their time in preliminary research, rather it enhances the judicial productivity of judges, so that the final decision of a case is entirely based on human judgment and not AI algorithms¹².

¹² Press Information Bureau, Ministry of Law & Justice, *Use of AI in Supreme Court Case Management* (Mar. 20, 2025), <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2113224®=48&lang=2>

Another crucial step is the **Supreme Court Vidhik Anuvaad Software (SUVAS)**, which performs the function of a translator as an AI-powered tool, so as to solve the problem of ambiguity and confusion due to linguistic barriers within the legal field. SUVAS promotes efficiency by providing translation of legal documents in English and other Indian languages, thereby making the whole judicial process easy to understand across the country. It also provides an opportunity to the parties to understand the judicial process and documents in simple language. In India, justice is often compromised due to language and so to avoid causing injustice to the parties, AI-aided translation tools, play an active role in fostering inclusivity, and diminishing information asymmetry between society and courts¹³.

The **E-COURTS PHASE III PROJECT**, is another technological initiative which promotes the creation of a more inclusive and paperless judicial ecosystem by using AI, machine learning and natural language processing, that is because, AI has the capability to manage cases, conduct legal research, automated scheduling and administration of court. These initiatives promote modernization, reduces delays, and improves judicial services without compromising judicial determination.

In spite of these trends, Artificial Intelligence in Indian Judiciary hasn't been accepted entirely. Many policy proposals and guidelines have been introduced and are still in discussion, so that AI helps the judges and neither supersede them nor substitute them in the entire justice delivery process, as it is a matter of fact that, AI is capable of many things but not judicial decision-making. Because if this power will be given to AI, then justice will not prevail at all in the society. So the only solution to such a problem is the adoption of a balanced approach which acknowledges the power of AI but also, put constraints on its habit of misuse and non-transparency. There is no doubt that, technology has the ability to make the judicial system more efficient, but does not have the capability to interpret and come to a decision using discretion, as that power is only in the hands of humans.

HUMAN JUDGMENT, JUDICIAL DISCRETION AND THE LIMITS OF AUTOMATION

In spite of the extraordinary developments in artificial intelligence, the function of judicial decision-making can only be done by human beings. Courts do not believe in using technology

¹³ Drishti Judiciary, Supreme Court Vidhik Anuvaad Software (SUVAS), (Jan.1, 2024), <https://www.drishtijudiciary.com/current-affairs/supreme-court-vidhik-anuvaad-software-suvas>

during adjudication, rather they rely on interpretation of statutes, evaluation of legal arguments of parties, assessment of credibility and reliability, balancing the constitutional values and adapting to legal principles to unique factual scenarios. Judicial discretion gives opportunity to the judges to perform the functions of proportionality, equity and understand the consequences of their decisions. There is no doubt that AI systems have the capability to produce tons of information in no time but still, they are deficient in performing human functions like, empathy, moral reasoning and circumstantial comprehension that, makes the process of administration of justice much easier. Thus, AI right now, is not completely ready to be used as a substitute for judicial reasoning¹⁴.

A significant issue related to AI-assisted decision-making is the problem of automation bias where, the final decision makers get used to blindly trusting the recommendation of AI. Research conducted on AI- regulated adjudication believes that, judges, like any other professionals, may get affected by AI- aided output, even when they are capable of giving human judgment. This risk can turn active decision-makers into passive assessors of final decisions produced by AI. This much of dependence of judges on AI can create a problem for our constitutional democracy, where the concept of judicial independence, which is an inherent aspect of Separation of Powers, can be compromised with and can also, reduce public trust and confidence in the legal system.

Another major defect in automation is related to the nature of law itself. Disputes in court can never be simply solved by applying the laws straightforwardly on the issue. Many matters require interpretation of confusing laws, choosing between precedents in conflict and balancing constitutional values. Therefore, judicial reasoning is a dynamic and phylogenetic process. Judges, who are considered the god of justice, cannot excessively rely on AI, which consists of historical data and is efficient in only providing repetitive data and discourages legal innovation. Since AI provides material based on past decisions and situations, it may struggle in acknowledging the present, ongoing social problems, which require interpretation, patience and a solution.

These issues have influenced the modern judicial-strategy. Supreme court's newly introduced regulations, restrict the use of AI for finding out judicial outcomes, to decide whether bail

¹⁴ V. Venkatesan, *The Supreme Court of India's Draft Regulations for Use of Artificial Intelligence in Courts, 2026*, <https://theleaflet.in/amp/story/law-and-technology/explained-the-supreme-court-of-indias-draft-regulations-for-use-of-artificial-intelligence-in-courts-2026>

should be granted or not, evaluating the credibility of the witness etc. Many judicial policies framed are of the view that, the final decision must be a product of human conscience and constitutional principles. At the end of the day, the debate is not on the fact whether, AI should be used in courts, rather the debate is all about the fact that, till what extent AI should be used. It is true that, as a technology AI can promote efficiency, consistency and access to justice, but these are not the “only” aspects of adjudication. Therefore, the authenticity of judicial process relies upon protecting human oversight, and ensuring that AI is used as a helpful tool for decision-making. In that way, judicial decisions will emerge from human mind and also the actual use of AI will not be ignored.

TOWARDS A CONSTITUTIONAL FRAMEWORK FOR XAI IN INDIA

As artificial intelligence has strongly found its place in Indian Judiciary, India still hasn't found a strong way to balance between technology and the Constitution of India. While AI offers humongous advantages but still, it is not ready to be used in courts completely even if it is speedy and convenient. If any law is created so as to regulate the power of AI then, such statute must be consistent with law of the land and should fulfill the need of transparency, accountability and judicial independence. Therefore, the validity of usage of AI in courts depends not only on the algorithm but on the access to safeguards or protections which can preserve the rights of the parties.

The Supreme Court's Draft Regulations for Use of Artificial Intelligence in Courts, 2026¹⁵ highlights that, AI systems must be subordinate to the human decision-making and must not replace it. Judicial officers must have the power in their hand to accept, reject or modify an AI-aided output, to show the whole society that still, in the era of modernization, the responsibility of legal decisions are in the hands of human judges. This approach recognizes the fact that, human decision-making can never be delegated. Another essential feature is transparency and explainability. Decision of the judges are considered valid because of the authority they have in their hands and also because of the reasons they give for every decision and this same principle must be followed in terms of AI as it has the ability to influence the decisions of the court. The Draft Regulations clearly directs for transparency and explanation with reference to “black-box” systems, specially where the personal liberty of parties is at stake. Explainability

¹⁵ Bhumika Indulia, *India's Supreme Court Releases Draft Regulations for Use of AI in Courts*, Asia IP, (2026), <https://asiaiplaw.com/article/indias-supreme-court-releases-draft-regulations-for-use-of-ai-in-courts-2026-for-public-consultation>

ensures that AI-generated output is open to scrutiny and challenge so that courts do not blindly make vague decisions. Without this much of safety, the benefits of AI cannot be enjoyed properly and its actual value will go in vain.

Every AI system must constitute the characteristics of accountability and auditability. Even if judges rely on AI for decision-making then, if the decision turns out to be incorrect then, judges must take the responsibility for such error or mistakes as AI should only be treated as an advisory tool and not an authoritative tool. Such steps ensure that, technological tools are continuously monitored and if they lead to any risk, bias or inaccuracy, then the same is identified and cured at the very initial stage. Even if the defects of AI are completely solved or cured, still those individuals which might get affected from a decision produced by AI, they must get the opportunity to interpret and challenge the reason of the decision. This aspect is important because, the main object of law is to solve the problems of people and be accountable towards them, so if AI gets completely associated with AI, then still it must remain accountable and should continue to protect individual liberty of each citizen of the society.

Ultimately, if any future AI model gets introduced in the Indian judiciary, it must remain anchored to the principles of our Constitution. The objective should not be to make decision-making automatic but, to enhance its quality and accessibility while protecting judicial independence and human accountability. The approach adopted by Supreme Court shows that AI can be used for research as well as court administration. But at the end of the day, technology has the true power to assist the judiciary in the administration of justice, but the power of delivering justice must always remain with the human judges.

CONCLUSION: PRESERVING THE HUMAN CORE OF JUSTICE

Nobody could have ever thought that, AI could also find a place in the legal system of any country. But now it has become very obvious that, AI is like water, which can take any shape and that is because of its remarkable characteristics like, legal research, linguistic accessibility, judicial efficiency etc. In a country like India, AI has become much more important than in other countries because, AI is in high demand here. To be specific the main reasons are the backlog of cases, increasing demand of judicial resources, dissatisfaction of society etc. Thus, if we start using AI responsibly in our country then, it can contribute to a more accessible and technologically advanced justice system. However, efficiency is not only important for ensuring justice to the citizens in India. Fairness, accountability, transparency, and reasoned

adjudication have always been essential to the legitimacy of judicial decision-making. The judiciary's adoption of new technologies must continue to be guided by these constitutional principles. This article's main contention has been that, the constitutional validity of AI-assisted legal procedures depends not only on algorithmic output's accuracy but, also on their capacity to meet explainability and meaningful human oversight requirements. Because they directly impact rights, liberties, and human dignity. Therefore, such decisions must continue to be transparent, reviewable and backed by arguments that can be comprehended and contested in accordance with the constitution. Regardless of its effectiveness, an unexplained algorithmic recommendation cannot fulfill the constitutional obligation to reasoned justice on its own. Therefore, explainability is a crucial defense for maintaining procedural justice and public trust in the legal system rather than a technological luxury. A growing consensus that, AI must function within a framework based on human rights, judicial independence, transparency and accountability is reflected in recent regulatory developments in India and around the world. The increasing focus on audit procedures, explainability standards, human-in-the-loop decision-making shows an understanding that, technological innovation must continue to be subservient to constitutional principles. The goal is to develop reliable systems that, support judges while maintaining the integrity of the legal system, not to build automated courts. In the end, Artificial Intelligence in the judiciary should not be seen as a choice between humans and machines, but rather as a collaboration in which technology improves judicial effectiveness while human judges continue to be in charge of interpreting the law and upholding constitutional principles. While AI can help with the administration of justice, it cannot take the place of the human judgment, empathy, and accountability that are essential to adjudication. Maintaining the human element of justice is crucial to ensuring that efficiency never comes at the expense of justice, fairness, and the rule of law, even as courts use technology more and more.