
INTERSECTIONALITY OF BARRIERS: WHEN ECONOMIC, GEOGRAPHIC AND CULTURAL CHALLENGES CONVERGE

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ABSTRACT

This article examines the multifaceted barriers to access to justice in India, exploring how economic vulnerability, geographical isolation and cultural constraints intersect to create systemic challenges for marginalized communities. The research analyzes how these barriers disproportionately affect vulnerable populations, including women, tribal communities, and economically disadvantaged sections. The study reveals that approximately 67% of prisoners awaiting trial belong to weaker societal groups, while 80% of India's workforce operates in the informal sector with limited legal protection. Geographic barriers, particularly in northeastern states and mountainous regions, compound these challenges, with some communities traveling hundreds of kilometers to reach the nearest judicial institution. In addition to this, cultural factors such as the caste system and patriarchal structures add to the difficulty of accessing justice for Dalit women, who experience triple marginalization. This article further covers institutional problems, such as judicial delay, linguistic barriers, and corruption within the system. While noting the recent technological initiative by the Supreme Court and legislative initiatives, such as the Gram Nyayalayas Act 2008, it also stresses the need for systemic reform. The research concludes by stating that such intersectional barriers require a radical rethink of justice delivery that has to recognize the complexity of social identities and systematically deconstruct institutional biases that serve to perpetuate systemic exclusion.

Keywords: Access to Justice, Intersectional Barriers, Marginalized Communities, Judicial Infrastructure and Legal Aid.

Introduction

Access to justice in this complex legal backdrop does not form a uniform tapestry but rather one woven together with the threads of economic vulnerability, geographical isolation, and cultural constraints. Multifaceted barriers, which obstruct the pursuit of judicial remedy, do not exist in a vacuum but intersect and compound each other, and create some serious challenges for the marginalized communities.

Economic inequality forms the bedrock, whereby monetary constraints turn law into an unattainable right. Physical distance adds a layer to this problem; the courts are not only far but also psychologically inaccessible to people who live in rural and disadvantaged areas. It becomes a challenge with cultural and social structures that further complicate matters with silent dictums on who should seek justice and when, and even once identified, the other challenge being the time demarcation

The convergence of these barriers creates a systemic exclusion mechanism that disproportionately affects vulnerable populations. Marginalized groups including women, tribal communities, economically disadvantaged sections and socially stigmatized groups find themselves ensnared in a cycle of judicial invisibility.

This article delves into the intricate dynamics of these intersecting barriers highlighting how economic constraints, geographical limitations and cultural constructs combine to undermine the basic principle of equal access to justice and thus, challenge the very essence of democratic and inclusive legal systems.

Intersectional Perspectives: Economic, Geographical and Cultural Barriers

Access to justice has never been an issue for someone who is financially stable and has access to all resources. For someone who has no recourse to financial resources, access to justice is extremely difficult. Even if he was aware of his rights, he would have minimal to no ways to pursue legal remedies.¹ According to the current demographics and data on prisoners awaiting trial, about 67% of those awaiting trial are members of the weaker societal groups ²and as a result, have limited or no access to justice.

¹ *Barriers to Access to Justice*, e-PG Pathshala, Ministry of Education, Government of India, https://epgp.inflibnet.ac.in/epgpdata/uploads/epgp_content/law/02._access_to_justice/20._barriers_to_access_to_justice___/et/5645_et_20et.pdf (last visited Dec 12, 2024).

² Dhruvo Jyoti, *Two Out of Three in Prison are from Weaker Sections of Society, Reveals NCRB*, THE HINDUSTAN TIMES (Oct 22, 2016, 08:51 AM), <https://www.hindustantimes.com/india-news/typical-indian-prisoner-is-dalit-or-sc-st-male-poorly-educated-survey/story-fYRXt7liX3vXTpS3pTcHSK.html>.

The mass population, especially in the rural and underprivileged sector, faces poverty³, thereby making legal redress very far from their reach. Poverty is both a source and a consequence of injustice.⁴ It makes it more difficult for people to resolve disputes, seek justice, and handle common legal issues. For them, the legal system is all too frequently a source of annoyance, disappointment, and helplessness. It also serves as a clear mirror of the social exclusion and injustice that are already prevalent. People's social and economic standing also has an impact on their experience when they are charged with a crime or are found guilty of one. The absence of support deepens their social exclusion and fuels injustice which further entrenches convicted offenders and their families in poverty and marginalization.

In India, litigants continue to encounter difficulties due to court rescheduling and inadequate case management. This inevitably and redundantly raises the expense of legal representation.⁵ Court charges, lawyers' fees and the cost of paperwork become too expensive for an economically weaker section to afford. Even government-run programs such as free Legal Aid Services might fail to bridge the gap due to bureaucratic obstacles, complicated eligibility requirements, and administrative difficulties which can add much more to these delays⁶ and high costs.

The situation is further complicated by the informal economy. Nearly 80% of the Indian workforce operates in this sector.⁷ The sector lacks the legal enforcement mechanism which makes it challenging to assert their rights in a dispute due to dearth of access to written contracts. Besides, whenever these people are involved in a dispute, they seldom take it to formal judicial machinery because of fear of vendetta, cost involved, or distrust of judicial structures.⁸

³ Asian Development Bank, *Understanding Poverty in India* 1 (2011), <https://www.adb.org/sites/default/files/publication/28930/understanding-poverty-india.pdf> (last visited Dec 12, 2024).

⁴ Ireland Bellsmith, Olivia Goertzen, Kia Neilsen & Olivia Stinson, *Poverty and Access to Justice*, ICCLR 2, 3 (2022), https://icclr.org/wp-content/uploads/2022/02/Access-to-Justice-and-Poverty_ICCLR_RR-2022-2_Bellsmith-Goertzen-Neilsen-Stinson.pdf.

⁵ Gokul Krishnan R. & Ninni Susan Thomas, *The Gruelling Course of Litigation in India*, THE HINDU (Oct. 11, 2024, 1:29 AM), <https://www.thehindu.com/opinion/lead/the-gruelling-course-of-litigation-in-india/article68741949.ece>.

⁶ Prabhjot Singh Chahal, *Legal Aid in India: Enhancing Access to Justice for All*, 6 IJFMR 1, 5 (2024), <https://www.ijfmr.com/papers/2024/2/14836.pdf>.

⁷ Brian Turnbull, *Informal Economies in India*, COUNCIL OF AMERICAN OVERSEAS RESEARCH CENTRES (Jul. 19, 2022), <https://www.caorc.org/post/informal-economies-in-india>.

⁸ *Id.*

Additionally, the poor socio-economic conditions nurture elements like geographic hurdles, affects legal awareness, and access to legal aid.⁹ Rural population have limited access to legal professionals due to the concentration of legal services in urban areas.¹⁰ Furthermore, access to justice is severely hampered by the intricate laws and processes, the court and administrative tribunals' convoluted structures, and the sheer difficulty of navigating the legal system.¹¹

Geographical barriers pose a significant challenge to accessing justice in India, creating a complex web of inequalities that undermine the fundamental principles of judicial fairness. The country's diverse and expansive landscape, characterized by remote rural areas, dense urban slums, isolated tribal regions, and challenging mountainous terrains, creates substantial obstacles for individuals seeking legal recourse and equal protection under the law.

In the northeastern states and mountainous regions like Himachal Pradesh and Uttarakhand, geographical isolation dramatically impedes judicial access. These areas are characterized by rugged terrain, limited transportation infrastructure, and sparse population distribution, severely restricting citizens' ability to reach courts. The lack of judicial infrastructure in the mountain regions further exacerbates local people's plight. The Parliamentary Committee on Personnel, Public Grievances, Law and Justice in its 141st report titled 'Judicial Infrastructure in the North-Eastern States of India' highlights the poor judicial infrastructure.¹² For instance, in Arunachal Pradesh, many remote tribal communities must travel hundreds of kilometers through challenging mountain passes to access the nearest judicial institution. This geographic constraint not only increases travel costs and time but also discourages marginalized populations from pursuing legal remedies, effectively denying them fundamental judicial rights.

Rural India experiences even more pronounced judicial accessibility challenges. Villages located in remote areas of states like Bihar, Jharkhand, and Madhya Pradesh often lack nearby legal infrastructure (As per the law ministry report on judicial infrastructure and overburdened

⁹ *Supra note 4.*

¹⁰ Ilan Fuchs, *Access to Justice Requires Changes from the Legal System*, AMERICAN PUBLIC UNIVERSITY, (Oct. 23, 2023), <https://www.apu.apus.edu/area-of-study/security-and-global-studies/resources/access-to-justice-requires-changes-from-the-legal-system/#about-authors>.

¹¹ Beverley McLachlin, *Remarks of the Right Honourable Beverley McLachlin, P.C. Chief Justice of Canada*, CIAJ 1, 4 (2015), <https://ciaj-icaj.ca/wp-content/uploads/documents/2015/10/916.pdf?id=472>.

¹² ETV Bharat English Team, *Parliamentary Panel Report Exposes Poor Judicial Infrastructure in Northeast*, ETV BHARAT (Feb. 10, 2024, 5:31 PM), <https://www.etvbharat.com/en/!bharat/parliamentary-panel-report-exposes-poor-judicial-infrastructure-in-northeast-enn24021004779>.

court).¹³The limited number of courts, combined with inadequate transportation networks, means that many rural residents must undertake extensive and expensive journeys to seek legal assistance. This systemic barrier disproportionately affects economically disadvantaged communities, who cannot afford the time and financial resources required to navigate the judicial system. The topographical diversity compounds these challenges through infrastructure limitations. Monsoon seasons can render many rural and mountainous roads impassable, further isolating communities from judicial institutions. Communication barriers, including limited technological connectivity in remote regions, exacerbate these issues, making it difficult for individuals to access legal information, file petitions, or participate in legal proceedings. These geographical barriers create a multi-layered systemic inequality, where access to justice becomes a privilege rather than a fundamental right. The result is a judicial landscape that inadvertently perpetuates social and economic disparities, undermining the constitutional promise of equal protection and opportunity for all Indian citizens, regardless of their geographical location or socioeconomic background.

Cultural factors in India create intricate barriers to judicial access, fundamentally challenging the principles of equitable justice delivery. The complex interplay between social structures, traditional practices, and legal institutions systematically undermines the fundamental right to fair and equal justice for marginalized communities. The caste system remains a pervasive force that significantly impedes justice delivery. Marginalized communities, particularly Dalits and tribal groups, frequently face systemic discrimination within the judicial framework. They often experience social ostracism and intimidation when attempting to seek legal recourse, especially in cases involving land disputes or social violence. The dominance of traditional social structures within court systems has perpetuated systemic exclusion of marginalized groups. As per the article *Appearing in Court in India: Challenges in Representing the Marginalized*, marginalized individuals are those who face social, economic, and cultural disadvantages, often compounded by factors such as caste, gender, and economic status.¹⁴The report emphasizes that these groups experience significant challenges in navigating the legal system due to inherent biases, lack of representation, and cultural ostracism. This dominance of higher social classes, often reflected in court hierarchies, deters marginalized groups,

¹³ Soibam Rocky Singh, Law Ministry Report Highlights Poor Infrastructure, Overburdened Courtrooms, THE HINDU (Aug 5, 2024, 01:06 AM), <https://www.thehindu.com/news/national/law-ministry-report-highlights-poor-infrastructure-overburdened-courtrooms/article68485042.ece>.

¹⁴ S. Muralidhar, *Appearing in Court in India: Challenges in Representing the Marginalised*, 3 CASTE: Glob. J. Soc. Excl. 421, 423 & 432 (2022).

including Dalits and women, from accessing justice effectively. The caste system, reinforced through societal norms, plays a critical role in discouraging legal recourse, as it intimidates those seeking justice. Consequently, courts, meant to be neutral arbiters of justice, unintentionally perpetuate these structural inequalities.

Gender norms and patriarchal cultural structures present significant barriers to judicial accessibility.¹⁵ Women in many parts of India, particularly in rural and conservative regions, face substantial cultural restrictions that discourage them from approaching formal legal systems. Societal expectations and family pressures often prevent women from reporting crimes or challenging domestic violence. Customary practices and traditional dispute resolution mechanisms, such as community panchayats, significantly compete with and often undermine the formal judicial system. These traditional forums, rooted in local cultural practices, frequently perpetuate existing social hierarchies and gender biases, resolving disputes according to deeply entrenched cultural norms. Religious and community-specific personal laws further complicate the judicial landscape. Different religious communities operate under distinct personal laws governing marriage, inheritance, and family matters, often discriminating against women and marginalized groups and challenging the uniform application of justice. The cultural perception of the judiciary itself creates additional barriers. Many individuals, especially in rural and economically disadvantaged communities, view the legal system as an alien, complex, and intimidating institution, discouraging engagement and trust. Cultural attitudes towards conflict resolution, which emphasize compromise and social harmony, often discourage individuals from pursuing legal action. While these approaches can be valuable, they frequently perpetuate existing power imbalances and prevent meaningful justice for marginalized individuals. Understanding these cultural dynamics is crucial for developing more inclusive, culturally sensitive approaches to justice delivery in India, requiring comprehensive strategies that address social norms, educational disparities, and systemic biases.

Intersectionality in India reveals a complex landscape of compounded marginalization where multiple identity markers simultaneously create profound barriers to justice delivery. Dalit women, forest dwellers, and tribes exemplify this intricate challenge, experiencing discrimination that stems from intersecting dimensions of caste, gender, and socioeconomic vulnerability. At the core of intersectional barriers lies the simultaneous oppression stemming

¹⁵ Bhushan Sharma & K. A. Geetha, *Casteing Gender: Intersectional Oppression of Dalit Women*, 22 *J. Int. Women's Stud.* 1, 1 & 2 (2021).

from caste hierarchy and patriarchal structures. Dalit women face triple marginalization - being women, belonging to a lower caste, and often experiencing economic precarity. This intersectional identity exponentially increases their vulnerability to systemic violence, sexual exploitation, and judicial discrimination. Legal mechanisms frequently fail to address the nuanced challenges these women encounter, with institutional biases rendering their experiences invisible. Groups like Khap Panchayats, traditional caste-based councils prevalent in rural North India, exacerbate the plight of individuals with intersectional barriers. The Supreme Court, in *Shakti Vahini v. Union of India*, 2018¹⁶, highlighted that practices such as honor killings and caste-based exclusions violate constitutional principles of equality and personal liberty. The judgment strongly condemned these councils for promoting decisions that are often in direct conflict with the fundamental rights guaranteed by the Constitution. These councils, operating parallel to the judicial system, disproportionately affect individuals at the intersection of caste, gender, and economic vulnerability. For instance, women from lower castes face compounded discrimination, as Khap Panchayats often uphold patriarchal norms that deny them autonomy and access to formal justice mechanisms.¹⁷ Such practices perpetuate systemic exclusion and further marginalize those already facing societal barriers.

Tribal communities in border regions present another stark example of intersectional disadvantage. In border areas people face crimes like- illegal immigrants, infiltration, trafficking etc.¹⁸ Hence these communities contend with geographical isolation, ethnic discrimination, economic marginalization, and limited state recognition. Their complex identity intersections create significant obstacles in accessing judicial resources, with language barriers, cultural disconnection from formal legal systems, and historical distrust of state institutions further complicating their legal recourse. Migrant workers represent another critical intersectional group experiencing multifaceted judicial exclusion. This can be seen during covid-19 pandemic when they were put into jail without following the principle of natural justice, even the Supreme Court pointed out this judicial disparity.¹⁹ Their identity encompasses economic vulnerability, potential linguistic minorities, often belonging to marginalized social categories, and lacking stable geographical representation. This complex

¹⁶ *Shakti Vahini v. Union of India*, (2018) 7 SCC 192.

¹⁷ Mr. Sanjay Singh & Mr. Garvit S. Pawar, *Khap Panchayat: Analysis in Light of Jurisprudence*, BHARATI LAW REV. 240, 240 & 244 (2016).

¹⁸ *Community Policing for Border Areas*, BUREAU OF POLICE RESEARCH AND DEVELOPMENT, https://bprd.nic.in/uploads/pdf/1730092507_14f2a0aea97ffe0a9a6d.pdf (last visited 17 Dec, 2024).

¹⁹ Krishnadas Rajagopal, *Migrant Workers should not be Prosecuted, says Supreme Court*, THE HINDU (Jun. 10, 2020, 9:50 AM), <https://www.thehindu.com/news/national/coronavirus-lockdown-migrant-workers-should-not-be-prosecuted-says-supreme-court/article31784841.ece>.

identity matrix renders them particularly susceptible to exploitation, with limited mechanisms for legal protection or redressal. This makes them a stranger in their homeland.

The judicial system's predominantly upper-caste, male-dominated structure fails to comprehend or adequately address these intersectional experiences.²⁰ Standardized legal approaches cannot effectively respond to the nuanced challenges faced by individuals experiencing multiple, simultaneous forms of marginalization.

Systemic Barriers: Language, Education, and Social Stigma

India is a multilingual nation with hundreds of dialects and 22 officially recognized languages. This diversity contributes to cultural richness, but it also poses serious problems for the legal system.

The language barriers within condition is even worse for women, tribal communities, and Dalits who are more vulnerable among the vulnerable groups. The Indian judiciary remains a significant concern, especially in higher courts where English is mandatory to be utilized²¹ as the medium of communication. Even our Ex-CJI Chandrachud brought the issue at the forefront, speaking at the National Conference on the Landscape of Technology, where he emphasized the need for more inclusivity to all the citizens of India regardless of their dialectal background.²² This linguistic exclusivity acts as a barrier for people from non-English-speaking backgrounds, particularly in the rural sphere, who cannot fully participate in court proceedings. People may feel cut off from the very institutions designed to protect their rights when they are unable to comprehend the language used in court proceedings. The fundamental tenet of the Indian Constitution, equal access to justice²³ is also compromised by this disparity, which impacts individual litigants as well.

The educational and legal illiteracy further exacerbates the issue. The latin phrase **ignorantia juris non excusat** means "Ignorance of the law excuses no one."²⁴ Even our justice system

²⁰ Namit Saxena, *Disproportionate Representation at the Supreme Court: A Perspective Based on Caste and Religion of Judges*, BAR AND BENCH (May 23, 2021, 9:19 AM), <https://www.barandbench.com/columns/disproportionate-representation-supreme-court-caste-and-religion-of-judges>.

²¹ INDIA CONST. art. 348.

²² Anesha Sareen Kumar, *Technology has Revolutionised Judicial System, says CJI Chandrachud*, THE HINDUSTAN TIMES (Aug 11, 2024, 3:42 AM), <https://www.hindustantimes.com/cities/chandigarh-news/technology-has-revolutionised-judicial-system-says-cji-chandrachud-101723319608939.html>.

²³ INDIA CONST. art. 39A.

²⁴ OXFORD REFERENCE, <https://www.oxfordreference.com/display/10.1093/acref/9780197583104.001.0001/acref-9780197583104-e-895> (last visited Dec. 13, 2024).

does not allow any person to have an excuse for being unknown to violating the law of the land, even if done innocently. But a majority of the Indian populace is unschooled of their fundamental and legal rights.²⁵ About 65% of the population resides in rural India,²⁶ where they have little to no access to socio-economic justice, fair opportunity, and improved education.

This hinders access to justice and comprehension of rights, resulting in a power imbalance between the citizens and the legal system. This knowledge gap leads to the forfeiture of rights and makes it more difficult to seek redress. And although the legal aid is accessible, its efficacy is hindered by awareness limitations to just certain sections of society.

These obstacles are exacerbated by social stigma, especially for women²⁷, LGBTQ+ people²⁸ and members of oppressed castes.²⁹ For the impoverished, the system functions differently.³⁰ The difficulties have been encountered by the underprivileged segment of the Indian populace, who have endured decades of historical injustice, in their pursuit of justice. Victims of caste-based discrimination, domestic violence,³¹ or sexual harassment often become socially ostracized and ridiculed, discouraging them from seeking legal redress. The pressure from their communities and the fear of damage to one's reputation ensures that many cases go unreported.³² For example, survivors of Gender Based Violence are constantly exposed to victim-blaming attitudes both from society and,

²⁵ Rashi Sharma, *Navigating the Legal Maze: Decoding the Impact of Legal Illiteracy on Indian Citizens*, KHURANA AND KHURANA ADVOCATES (Jan 3, 2024, 7:11 AM), <https://www.khuranaandkhurana.com/2024/01/03/navigating-the-legal-maze-decoding-the-impact-of-legal-illiteracy-on-indian-citizens/#:~:text=As%20citizens%20we%20should%20be,between%20citizens%20and%20legal%20systems.>

²⁶ PIB Delhi, *Economic Survey Highlights Thrust on Rural Development*, MINISTRY OF FINANCE (Jan 31, 2023, 1:22 PM), <https://pib.gov.in/PressReleasePage.aspx?PRID=1894901>.

²⁷ Roza Cseby & Anne M. Leal, *Analysis of Women's Access to Justice*, GHRD 2, 3 (2024), <https://www.ghrd.org/wp-content/uploads/2024/04/Understanding-the-Barriers-Analysis-of-Womens-Access-to-Justice-april-2024.pdf>.

²⁸ JL Heinze, *Fact Sheet on Injustice in the LGBTQ Community*, NATIONAL SEXUAL VIOLENCE RESOURCE CENTRE (Jun. 24, 2021), <https://www.nsvrc.org/blogs/fact-sheet-injustice-lgbtq-community>.

²⁹ INTERNATIONAL DALIT SOLIDARITY NETWORK, <https://idsn.org/caste-discrimination/> (last visited Dec. 13, 2024).

³⁰ Hannah M Varghese, *The Legal System Works differently for the Poor': Orissa High Court Chief Justice Muralidhar*, LIVE LAW (Apr. 16, 2022, 10:42 AM), <https://www.livelaw.in/top-stories/the-legal-system-works-differently-for-the-poor-chief-justice-muralidhar-196750>.

³¹ Human Rights Watch, <https://www.hrw.org/report/2018/10/25/i-could-kill-you-and-no-one-would-stop-me/weak-state-response-domestic-violence> (last visited Dec. 13, 2024).

³² Priya Rathnam, *Fear of Losing Face Makes Victims Stay Mum About Dating App Frauds: Cybercrime Wing Official*, THE NEW INDIAN EXPRESS (Sep 12, 2022, 8:02 AM), <https://www.newindianexpress.com/cities/hyderabad/2022/Sep/12/fear-of-losing-face-makes-victims-stay-mum-about-dating-app-fraudscybercrime-wingofficial-2497276.html>.

sometimes, even from the judiciary ³³creating a hostile environment that prevents them from seeking justice.

Institutional Challenges: Inefficiencies, Delays, and Representation Gaps

Judicial Delays are one of the significant challenges faced by The Indian Judiciary. The backlog of pending cases and overburdened courts are blamed for the delay in justice. ³⁴ Micevska & Hazra examine pendency using caseload per capita and caseload per judge as indicators. ³⁵ They discover that the filling rate has a negative impact on the congestion rate and a positive and a considerable impact on the caseload. They advise filling rates need to be reduced to reduce the backlog and resolve long-pending cases. However, numerous factors contribute to the problem of protracted court proceedings in India. The limited availability of Judges (unfavorable ratio to population), the prevailing backlog of unresolved cases, the bygone days of litigation procedures, out-of-date laws, the absence of specialized courts or tribunals for particular legal domains, etc. all contribute to the impediment of swift and timely justice.

The system of corruption that has crept into society is a more fundamental force that needs to be taken into consideration. Access to justice is a difficult reality since several public offices combat corruption and bribery. Corruption has permeated every step of the process, from submitting an application or requesting an adjournment to receiving a copy of the ruling. ³⁶The element of benefaction in the form of carrying out their duties is a common social disease that has infiltrated the officials' thinking.

Conclusion and Suggestions

Tackling these challenges necessitates diverse strategies, including extensive education campaigns and streamlined legal information circulation, addressing social stigma through awareness and leveraging technology for accessibility. The Supreme Court of India has been proactive in leveraging technology to bridge the language gap. ³⁷ Similarly, the govt. of India

³³ Dr. Roksana Hassanshahi Varashti, Ms. Rameshwari Rajdhar Dubey, *From Awareness to Action Addressing Gender-Based Violence in Contemporary Society*, 6 AFJBS 6549. 6549 (2024) <https://afjbs.com/uploads/paper/ddf1a9df47dc5a54bbf810a37560dce0.pdf>.

³⁴ Indrasish Majumder, *An In-Depth Analysis of the Challenges Faced by the Judiciary in India*, LAWCTOPUS (May 31, 2023), <https://lawctopus.com/clatalogue/clat-pg/analysis-of-the-challenges-faced-by-the-judiciary-in-india/>.

³⁵ M.B. Micevska & A.K. Hazra, *The Problem of Court Congestion: Evidence from Indian Lower Courts*, 88 ZEF 1, 21 (2004), https://www.econstor.eu/bitstream/10419/21844/1/zef_dp88.pdf.

³⁶ *Supra note 1*.

³⁷ *Supra note 22*.

has implemented a number of initiatives to raise awareness of legal rights³⁸. Social stigma has to be addressed through social inclusion³⁹ of the different sections of the society. Systemic reform, such as subsidized legal services, efficient legal aid program execution, and proactive steps to economically empower excluded populations, is necessary to address these economic components. Without such interventions, the promise of justice for all will remain unfulfilled. Corruption should be addressed through digitalization of judicial processes to limit human interaction, independent oversight with accountability, increase public awareness of rights, and promoting ethical behavior through adequate training and cultural reforms.

In its landmark decision in *Bandhua Mukti Morcha v. Union of India*, the Supreme Court unequivocally affirmed the right to a dignified life for all workers in the unorganized sector who have endured years of physical and psychological abuse, acknowledging the need to end the instances of forced labor and the bonded labor system.⁴⁰ The Supreme Court ruled that the right to life encompasses more than just an animalistic way of life and upheld the rights of the native tribal groups.⁴¹

The Legislature has also made admirable efforts to protect and restore the dignity of the Harijans, who have endured centuries of oppression. The Prohibition of Untouchability Offenses Act⁴², along with the Prevention of Atrocities to SC/ST Act⁴³ is a positive move. The efforts to provide access to justice have taken the shape of the Gram Nyayalayas Act of 2008⁴⁴, the Legal Services Authority Act of 1987⁴⁵, and the extraordinary role that the Legal Services Authority Act and its Legal Aid Officers have played in delivering justice to the poor and destitute. Access to justice is being offered at all levels in a variety of ways, but India needs more practical and efficient measures to reach such a quantifiable amount of population. Addressing these intersectional barriers requires a radical reimagining of justice delivery - one that recognizes the complex, interconnected nature of social identities and systematically dismantles institutional biases that perpetuate systemic exclusion.

³⁸ MINISTRY OF LAW AND JUSTICE, <https://pib.gov.in/PressReleasePage.aspx?PRID=2040663> (last visited Dec. 13, 2024).

³⁹ Rosalynn Carter, David Satcher & Tony Coelho, *Addressing Stigma Through Social Inclusion*, NATIONAL INSTITUTES OF HEALTH (May 2013), <https://pmc.ncbi.nlm.nih.gov/articles/PMC3698832/>.

⁴⁰ *Bandhua Mukti Morcha v. Union of India*, 1984 AIR 802.

⁴¹ *Kharak Singh v. State of U.P.*, (1964) 1 SCR 332.

⁴² The Protection of Civil Rights Act, 1955, No. 22, Acts of Parliament, 1955 (India).

⁴³ The Prevention of Atrocities to SC/ST Act, 1989, No. 33, Acts of Parliament, 1989 (India).

⁴⁴ The Gram Nyayalayas Act, 2008, No. 04, Acts of Parliament, 2008 (India).

⁴⁵ The Legal Services Authority Act, 1987, No. 39, Acts of Parliament, 1987 (India).