

Bridging the Justice Gap: An Analysis of Pakistan's Legal Aid and Justice Authority (LAJA) and its Effectiveness for the Marginalized

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Abstract

Pakistan has a free legal aid system that attempts to supply the poor and marginalized legal representation to the people who are underprivileged and cannot afford legal representation. It operates on constitutional guarantees, and it is backed by most institutions, such as the Legal Aid and Justice Authority (LAJA), which was founded by the Legal Aid and Justice Authority Act, 2020. This system guarantees that the vulnerable groups like women, children, prisoners, and victims of domestic violence are assisted in the law front both in civil and criminal cases. The provision of legal aid is done by the public defenders, pro bono lawyers, NGOs, and bar associations. Regardless of its good intentions, the system has a couple of issues, including poor funding, ignorance, inadequate coverage in rural regions, and bureaucracy. In order to make it more effective, there is a need to reinforce the system of institutional structures, increase funds, and improve legal literacy. The legal aid system needs to be stronger and embracing to facilitate the rule of law and give equal opportunity of access to every citizen in Pakistan.

Keywords: Challenges, Historical Context, Laws, Opportunities, Theoretical Context

Introduction

One of the basic rights that the Constitution of Pakistan has enacted is access to justice. However, due to poverty, illiteracy, and social inequalities (that are characteristic of the majority of population groups), numerous people are unable to afford legal services (Adams, 2022; Islam et al., 2023). To address the issue, there has been an emergence of the concept of free legal aid, and this concept has evolved over the years in Pakistan with the objective of providing each citizen with a right to fair trial, defense, and similar legal rights regardless of their economic capacity (Uwamusi, 2025). The importance of free legal aid is especially significant in the context of the most vulnerable layers of the population, such as women, children, prisoners, and human rights victims or domestic violence victims (Chudyk, 2023; Ivanytsky & Morozov, 2023).

This system has also emerged due to a mix of constitutional provisions, legislative efforts, and as well as institutional programs (Li & Harji, 2025). The Constitution of Pakistan places emphasis on inexpensive and quick justice and is the foundation of the free legal assistance services in Article 37(d) (Nazim, 2023). In 2020, the government established the Legal Aid and Justice Authority (LAJA) based on the Legal Aid and Justice Authority Act to provide organized and unified legal assistance to the country (Sachdeva, 2023). These services are also majorly offered by other NGOs, bar associations, and public defenders (Islam et al., 2023).

Despite the growing system, the legal aid system in Pakistan is faced with several issues, including the lack of awareness within the society, insufficient funding of the system, and the shortage of trained legal professionals willing to offer their services on a pro bono basis (Minow, 2022). The problem of policy reforms and resource distribution, as well as the enhancement of stakeholder cooperation, is required to make the system more efficient (Partha et al., 2024). The system of free legal aid needs to be reinforced to ensure justice, equality, and the rule of law in Pakistan (Uwamusi, 2025).

Research Justification

The argument supporting the study of the free legal aid system in Pakistan is that it has a very critical purpose in the provision of access to justice, particularly among the marginalization and the economically disadvantaged people in the country. Although the system of law in Pakistan is based on the constitutional provisions and the international human rights requirements, it is still largely unattainable by most of the population because of financial, social, and procedural obstacles. Even with the availability of legal aid clauses and legal aid organizations such as the Legal Aid and Justice Authority (LAJA), there is still a considerable disparity between the objective of the legal assistance and the realities of legal aid.

The study is necessary to establish the weaknesses, structural problems, and operational problems of the current legal aid system. This research study suggests practical recommendations on how to make the legal aid service more effective, reach more people, and serve them more efficiently. In addition, the analysis of the delivery of legal aid with the use of public defenders, bar associations, or NGOs can also help identify best practices and points of improvement. It is also essential to raise awareness and perception of the population towards free legal assistance and increase access and effectiveness. The ultimate value of this research is towards the overall goal of enhancing equal access to justice, safeguarding human rights, and observing the rule of law in Pakistan.

Research Objectives

1. To discuss the historical context of the free legal aid system in Pakistan.
2. To highlight the theoretical context of the free legal aid system in Pakistan.
3. To analyze the laws regarding the free legal aid system in Pakistan.
4. To identify the key challenges regarding the free legal aid system in Pakistan.
5. To explore the opportunities for the free legal aid system in Pakistan.
6. To propose effective prevention and intervention strategies.

Research Methodology

This study employed a systematic review methodology, with research objectives established accordingly. A comprehensive literature review was conducted (Komba & Lwoga, 2020). Research findings were categorized based on their content (Hiver et al., 2021; Petticrew & Roberts, 2006), and classified information was incorporated into the study by organizing it into headings (Gan et al., 2021; Pawson et al., 2005). The evaluation of classified information and titles formed the basis of the study (Page, 2021; Rahi, 2017), ensuring the integrity of the research subject and its contents (Egger et al., 2022; Victor, 2008). The criteria for selection are listed.

1. **Relevance:** Researches that directly addressed the questions posed by this study are included.
2. **Quality:** Studies that meet a certain quality threshold (e.g., methodological rigor, bias risk) are included. Most of the research is from Scopus-indexed and Clarivate Analytics journals and reputed publishers.
3. **Recency:** Consideration of the publication date to ensure that the review reflects the most current evidence. Most of the studies are from the last three years.
4. **Language:** Only studies published in English are included.
5. **Data Completeness:** Previous studies must provide sufficient data on outcomes of interest for practical synthesis; this is also ensured in this research.

This study did not use primary data from human participants; therefore, no ethics clearance letter from the ethics committee was required.

Literature Review

The concept of free legal aid in Pakistan has been noted throughout many academic writings, legal commentary (Minow, 2022), and policy documents, with respect to its importance to access to justice (Li & Harji, 2025). In Article 37(d) of the Constitution of Pakistan, the state is charged with the responsibility of dispensing justice at low costs and at short notice (Islam et al., 2023).

The Legal Aid and Justice Authority (LAJA) Act, 2020, is one of the significant legislative steps towards the institutionalization of legal aid in Pakistan (Uwamusi, 2025). According to the report made by the Ministry of Law and Justice, LAJA aims at providing legal and financial support to the disadvantaged groups of the population, including women, children, and prisoners (Minow, 2022). However, NGOs such as the Aurat Foundation and Human Rights Commission of Pakistan (HRCPP) have discovered that despite the legal framework, the practice continues to have barriers (Sachdeva, 2023). These include a lack of awareness, a lack of trained legal staff in the rural areas, a lack of money, and bureaucracy (Adams, 2022; Ivanytskyy & Morozov, 2023).

The Asian Development Bank (ADB) conducted a study of the justice sector in Pakistan, which indicated that despite the existence of legal aid programs (Sachdeva, 2023), these are not available to everyone, and stakeholders have a low level of coordination (Nazim, 2023). The importance of NGOs and bar councils in offering pro bono legal

services has been acknowledged, yet the lack of standardization and tracking makes it less effective on a whole (Chudyk, 2023).

One of the studies on the justice sector in Pakistan, conducted by the Asian Development Bank (ADB), revealed that there are legal aid programs in place (Sachdeva, 2023), but their access is poor, and the stakeholders do not coordinate (Nazim, 2023). The pro bono level of legal services has been recognized to be of a high level provided by NGOs and bar councils, though it is not standardized, and there is no monitoring that reduces the total effectiveness (Chudyk, 2023).

Historical Context of Free Legal Aid System in Pakistan

The free legal aid system in Pakistan is a long-standing process based on the constitutional promise of justice and equality (Chudyk, 2023). The right to life, due process, equality of the law, etc., are the principles adopted to create the legal aid system, which is founded in the Constitution of Pakistan, specifically, Articles 4, 9, and 25 (Islam et al., 2023). There was, however, no formal organization when independence was achieved in 1947, and the legal system that was inherited by British India did not provide any legal assistance that was funded by the state (Nazim, 2023).

People experiencing poverty depended on voluntary services by lawyers and bar associations to access justice over the decades (Minow, 2022). Under the awareness of the increasing institutional requirements (Uwamusi, 2025), a range of initiatives were initiated throughout the 1990s, but lacked any unifying nationwide approach (Sachdeva, 2023).

One of the major changes was the adoption of the Legal Aid and Justice Authority Act, 2020, which established the Legal Aid and Justice Authority (LAJA) (Islam et al., 2023). This organization was mandated to offer free legal aid to the less fortunate in society, and more so, the women, children, as well as under-trial prisoners (Adams, 2022). Besides LAJA, law universities, provincial governments, and NGOs have also set up law aid cells and pro bono programs (Li & Harji, 2025). The legal aid system in Pakistan has been expanding despite implementation difficulties, which enhances access to justice of equal opportunities for every citizen (Chudyk, 2023).

Theoretical Context of Free Legal Aid System

The content of the theory of the free legal aid system is based on the principles of social justice, the rule of law, and equality before the law. Legal theorists and human rights experts believe that access to justice is a basic human right, which is critical in protecting and enforcing all other rights. In practice, the right to a fair trial is irrelevant because disadvantaged people have no means of successfully maneuvering through complex legal systems without a lawyer present in their case.

According to the natural law viewpoint, justice should be inclusive to everyone, irrespective of their socio-economic status. The utilitarian theory advocated by such philosophers as Jeremy Bentham defends the idea of legal assistance as a way to increase the well-being of society by minimizing injustice and upholding social order. Equally, the theory of justice in the works of John Rawls focuses on fairness and the veil of ignorance, which states that a just society should provide equal opportunities, even with the help of the law on behalf of the less well off.

Legal aid is also a vital part of a fair, humane, and efficient criminal justice system, and the United Nations Principles and Guidelines on Access to Legal Aid (2012) acknowledge it. So, free legal aid is not just a charity; it is a legal and ethical duty of the state to ensure democratic principles and safeguard basic rights.

Laws Regarding Free Legal Aid System in Pakistan

The juridical system of the free legal aid system in Pakistan consists of a number of constitutional provisions, legislation, and procedural codes that, in combination, guarantee access to justice to all citizens, especially the disadvantaged and marginalized groups in terms of economic capabilities.

1. Constitution of Pakistan, 1973: The law creating the basic rights, such as Article 4 (right to be dealt with according to the law) and Article 9 (security of the person), and Article 25 (equality of citizens), all require that the state should provide legal representation regardless of the financial ability. Article 37(d) notes specifically that the state is to deliver cheap and speedy justice.

2. Code of Criminal Procedure (CrPC), 1898: Section 304 expressly states that the state may appoint the defense counsel to represent an accused person who himself is indigent. This law of the colonial era is the main procedural law of criminal legal assistance in Pakistan.

3. Juvenile Justice System Act, 2018: Ensures that the minors receive special representation and the free provision of legal aid to those children who are not able to afford it. This Act acknowledges the vulnerability and the need of children to have special legal assistance.

4. Legal Practitioners and Bar Councils Act, 1973: Gives provincial bar councils the power to create legal aid committees and control pro bono services provided by enrolled advocates. The Act requires bar councils to facilitate access to justice by maintaining legal aid programs in an organized manner.

5. National Commission on the Status of Women Act, 2012: Defines legal aid support systems for women discriminated against and subjected to violence. This Act establishes institutional structures of gender-based legal assistance.

6. Protection of Women (Criminal Laws Amendment) Act, 2006: Protection of Women (Criminal Laws Amendment) Act, 2006 - The concept of legal assistance in women-related violence is introduced with peculiar weaknesses, which are caused by gender in the provision of justice. The Act provides preferential treatment of women victims.

Challenges for Free Legal Aid System in Pakistan

Several serious problems are impacting the operation and accessibility of the free legal aid system in Pakistan. The first is the awakening of the population, particularly in rural and underdeveloped areas, where individuals tend to be unaware of their right to receive legal aid or in what ways they can access it. Another major obstacle is a shortage of adequate funding and resources. Limited funds also present a challenge to legal aid organizations, including Legal Aid and Justice Authority (LAJA), as they restrict access to qualified lawyers, legal assistance development facilities, and legal aid outreach.

The other vulnerability of the system is that the qualified and committed legal practitioners are not available to give their services in a pro bono or even subsidized way. Some of the reasons why many lawyers do not want to take part are low pay and an institutional lack of support. Another cause that acts as a barrier to the provision of justice is inefficiencies in bureaucracy and a lack of coordination between the federal, provincial, and local legal aid agencies. Secondly, there is a risk that the legal aid services will become compromised by political pressure and corruption.

Lastly, the lack of monitoring and accountability mechanisms results in poor standards of services and the inability to determine the efficiency of the legal aid programs. These issues need to be tackled so that the marginalized and vulnerable sections of the population in Pakistan can effectively access justice.

Opportunities for Free Legal Aid System in Pakistan

The free legal aid system in Pakistan may have a lot to grow and reform in spite of its difficulties. The Free legal services are now legally sound with the introduction of the Legal Aid and Justice Authority Act, 2020. It provides the chance of forming a centralized and standardized system of providing legal assistance in the nation. The need to have access to justice as a human right is increasingly being felt both locally and internationally. This pressure can be leveraged into intensifying legal aid efforts with the assistance of international donors, NGOs, and development partners who are increasingly putting in place investments in justice sector reforms.

Another good opportunity is the participation of law schools and law clinics. Such organizations are able to mobilize law students into supervised legal practice to assist underserved populations and train the future of the legal profession on social justice. The growth of technology and digital media may also be transformative. Legal aid online portals, apps, and virtual consultations can expand access to people, particularly the remote regions. Also, cooperation with bar councils and civil society organizations can increase outreach, efficiency, and accountability. Using these opportunities, Pakistan can develop a more inclusive and effective system of legal aid to guarantee justice to everybody.

Discussion

The provision of a free legal assistance system in Pakistan is one step in the direction of providing justice to all, especially the marginalized groups and those faced with economic challenges. Despite the fact that the Legal Aid and Justice Authority Act, 2020, has established the basis on which a formal framework can be established, the system faces numerous challenges, including low population awareness, a lack of funding, and qualified personnel. Despite all these challenges, there are sunrises of reform and development.

Legal education institutions, civil society, and online technology can increase the reach and impact of legal assistance services. In order to overcome the limitations that exist, there is a need to coordinate the federal and provincial governments better, invest more by the government, and improve the monitoring systems. These problems and the prevailing opportunities could be used to create a more inclusive and equal justice system in Pakistan. Access to legal counsel is an obligation as well as an imperative to have a fair and democratic society.

Conclusion

The free legal aid system in Pakistan is an important mechanism to practice the principles of justice, equality, and human rights. Although the efforts of law-making, such as the Legal Aid and Justice Authority Act, 2020, have paid off, there are practical challenges, such as a lack of awareness, resource constraints, and institutional inefficiencies. Nonetheless, through strategic changes, greater cooperation, and technological advancement, the system is highly promising. There is a need to make free legal aid stronger so that justice is not an exclusive right of a few, but a right that all people should have, irrespective of their economic or social backgrounds.

Recommendations

- 1. Strengthen the office of LAJA:** Legal Aid and Justice Authority resources, independence, and reach nationwide.
- 2. Improve Coordination:** Improve coordination between bar councils, courts, police, and legal aid organizations.

- 3. Funding Government:** It is important to provide adequate funding to fund legal aid services at the federal and provincial levels.
- 4. Create Awareness:** Conduct awareness campaigns in order to sensitize the citizens about their right to free legal assistance and the means of acquiring it.
- 5. Engage universities of law:** Open law aid clinics in law schools and engage law students under the counsel of professionals.
- 6. Market Pro Bono Services:** This encourages and compensates lawyers to provide legal services free of charge.
- 7. Monitor and evaluate:** Develop systems that help gauge the level of performance by the legal assistance services and the level of impact they are making.
- 8. Target Vulnerable Populations:** Strive to have women, children, prisoners, and minorities at the forefront of the legal aid programs in order to be granted equal access.
- 9. Train Legal Professionals:** Conduct regular training for lawyers and judicial officers concerning the ethics, human rights, and legal aid practices.
- 10. Use Technology:** Use electronic platforms in online legal support, tracking, and virtual consultation to enhance accessibility.

Research Limitations

Although quite comprehensive, this study of the free legal aid system in Pakistan has several limitations. First, it will rely on secondary data, including legislation, official reports, and academic literature, which may not always be a concern of the actual ground realities or latest developments. The views of the beneficiaries, legal aid providers, and other stakeholders are not well represented due to the inability to access primary data. Secondly, the absence of statistical data on the use of legal aid and its outcomes, which is not uniform and up-to-date, limits the possibility of effectively measuring the effectiveness of the system.

Another aspect that is hard to evaluate without field research is the differences in regional disparities and interpretation differences between provinces. Moreover, the political, social, and cultural aspects affecting the operation of legal aid services are multifaceted and might not be adequately excluded in a short study. These constraints underscore the necessity of additional empirical studies, such as interviews, case studies, and field surveys, to have a better understanding of the issues and the effects of legal aid in Pakistan.

Research Implications

Their research on the Free Legal Aid System in Pakistan has a number of implications: The study has significant policy implications that can be made on the part of policymakers, legal experts, and civil society actors in Pakistan who are struggling to enhance access to justice. It also points out the differences between law and practice and the necessity to come up with better approaches to bolster the free legal aid system. The findings can guide policymakers to allocate resources more effectively, create specific awareness campaigns, and introduce quality control mechanisms into monitoring.

The legal aid providers can be trained and motivated by the law institutions and bar councils, and collaborative models can be discussed by universities and NGOs to increase the outreach. In addition, this study promotes additional research on the socio-economic and institutional obstacles that influence access to legal assistance. Having established the barriers and opportunities, the current paper can add to the overall discussion of reform in the justice system and help Pakistan remain committed to the respect of constitutional rights and international law. Finally, better access to legal assistance can contribute to the increase in public trust and a more just justice system.

Future Research Directions

When examining the shortcomings that can be addressed in the system to implement the improvement in it, future studies of the topic of the Free Legal Aid System in Pakistan can concentrate on examining several areas:

- 1. Bar Associations and Pro Bono Culture:** Bar Associations and Pro Bono Culture Learn the ways in which bar councils can enable and regulate pro bono legal services
- 2. Finance and Sustainability:** Discussion on how legal aid programs are financed and consideration of the other sustainable and sustainable methods of doing it via a public-privatized system, donor system, and pro bono work
- 3. Impact Assessment of Legal Aid Services:** Find out how free legal aid affects the result of legal cases, especially for the marginalized.
- 4. Institutional Coordination and Policy Gaps:** Look at the inter-agency coordination and existing policy gaps in the legal aid governance.
- 5. Legal Aid to Vulnerable Populations:** Focus on the access of women, children, minorities, and people with disabilities to legal aid.
- 6. Legal Aid Providers:** Learn about the training, workload, and resources of the public defenders, CBOs, and NGOs who provide legal assistance.

7. **Public Perception and awareness:** Research the perception and understanding of the general population of legal aid services and the level of awareness of available resources.
8. **Student Lawyer Involvement in Legal Aid:** Find out about the effects of student lawyer involvement versus legal clinic involvement in service delivery.
9. **Technology in Legal Aid:** Understand how technology can be used in legal aid to provide an improved measure of outreach with the help of digital mediums, mobile applications, and virtual legal services.
10. **Urban Rural Disparities:** Ascertain the approach, the quality, and awareness of the disparity in the legal support between urban and rural.

References

- Adams, C. A. K. (2022). *Legal aid for effective victim legal representation in Kenya's post-election violence*. *International Journal of Criminology and Sociology*, 11, 159–171. <https://doi.org/10.6000/1929-4409.2022.11.17>
- Chudyk, N. (2023). *Advocacy in the system of free legal aid*. *Actual Problems of Politics*, 2, 218–224. <https://doi.org/10.35774/app2023.02.218>
- Egger, M., Higgins, J. P., & Smith, G. D. (Eds.). (2022). *Systematic reviews in health research: Meta-analysis in context*. John Wiley & Sons. <https://doi.org/10.1002/9781119099369>
- Gan, J., Xie, L., Peng, G., Xie, J., Chen, Y., & Yu, Q. (2021). *Systematic review on modification methods of dietary fiber*. *Food Hydrocolloids*, 119, 106872. <https://doi.org/10.1016/j.foodhyd.2021.106872>
- Hiver, P., Al-Hoorie, A. H., Vitta, J. P., & Wu, J. (2021). *Engagement in language learning: A systematic review of 20 years of research methods and definitions*. *Language Teaching Research*. <https://doi.org/10.1177/13621688211001289>
- Islam, M., Jubeen, S., & Tayyaba, U. (2023). *Legal aid: A cornerstone of human rights in Pakistan*. *Current Trends in Law and Society*, 3(1), 50–57. <https://doi.org/10.52131/ctls.2023.0301.0015>
- Ivanytskyy, S., & Morozov, D. (2023). *Implementation of the right to free legal aid: Constitutional and sectoral aspects*. *Law Journal of the National Academy of Internal Affairs*, 1(17). <https://doi.org/10.24144/2663-5399.2023.1.02>
- Komba, M. M., & Lwoga, E. T. (2020). *Systematic review as a research method in library and information science*. In P. Ngulube (Ed.), *Handbook of research on connecting research methods for information science research* (pp. 80–94). IGI Global. <https://doi.org/10.4018/978-1-7998-1471-9.ch005>
- Li, J., & Harji, M. B. (2025). *Evaluating the internal consistency of the pro bono legal aid skills and attitudes (PBLASA) questionnaire*. *Pakistan Journal of Life and Social Sciences*, 23(1). <https://doi.org/10.57239/PJLSS-2025-23.1.00101>
- Minow, M. (2022). *Access to justice*. *American Journal of Law and Equality*, 2(1), 1–23. https://doi.org/10.1162/ajle_a_00039
- Nazim, M. (2023). *Legal aid with regard to the right to fair trial in Pakistani and international law: A comparative approach*. *Scandic Journal of Advanced Research and Reviews*, 4(2), 46–60. <https://doi.org/10.55966/sjarr.2023.4.2.0066>
- Page, M. J., McKenzie, J. E., Bossuyt, P. M., Boutron, I., Hoffmann, T. C., Mulrow, C. D., Shamseer, L., Tetzlaff, J. M., & Moher, D. (2021). *Updating guidance for reporting systematic reviews: Development of the PRISMA 2020 statement*. *Journal of Clinical Epidemiology*, 134, 103–112. <https://doi.org/10.1016/j.jclinepi.2021.02.003>
- Partha, P. G. N. A., Puspita, P. L., & Setyawan, F. (2024). *Dynamics of legal aid provision in the Indonesian criminal justice system: A comparative study of the Netherlands, Australia, and South Africa*. *Journal of Law, Politics and Humanities*, 4(3), 373–382. <https://doi.org/10.38035/jlph.v4i3.372>

- Pawson, R., Greenhalgh, T., Harvey, G., & Walshe, K. (2005). *Realist review – A new method of systematic review designed for complex policy interventions*. *Journal of Health Services Research & Policy*, 10(1), 21–34. <https://doi.org/10.1258/1355819054308530>
- Petticrew, M., & Roberts, H. (2006). *Systematic reviews in the social sciences: A practical guide*. Blackwell Publishing. <https://doi.org/10.1002/9780470754887>
- Rahi, S. (2017). *Research design and methods: A systematic review of research, sampling issues, and instruments development*. *International Journal of Economics Management Sciences*, 6(2), 403. <https://doi.org/10.4172/2162-6359.1000403>
- Sachdeva, D. (2023, April 12). *The innocence project and the Indian legal aid system: A comparative analysis*. SSRN. <https://doi.org/10.2139/ssrn.4417237>
- Uwamusi, J. (2025). *Empowering underserved entrepreneurs: The role of legal aid in small business success*. SSRN. <https://doi.org/10.2139/ssrn.5124797>
- Victor, L. (2008). *Systematic reviewing in the social sciences: Outcomes and explanation*. *Enquire*, 1(1), 32–46. <https://www.nottingham.ac.uk/sociology/documents/enquire/volume-1-issue-1-victor.pdf>