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ENVISION INDIA CONCLAVE

***“JUDICIAL EVOLUTION IN A TIME OF
TRANSFORMATION: SAFEGUARDING
CONSTITUTIONALISM IN THE DIGITAL AGE”***

10th JUNE, 2025 (1:35 – 2:00 PM, PT)

**INTRODUCTION: A CONFLUENCE OF TIME, TECHNOLOGY,
AND TRANSFORMATION**

1. I am deeply honoured to address you today at the ***Envision India Conclave***—an inspiring platform where vision meets dialogue, and innovation meets purpose. As we gather in this vibrant city of San Francisco—a global epicentre of technological ingenuity and civic dynamism—it is fitting that we reflect on the future of one of the most vital pillars of any democratic republic: **The Judiciary**.

2. The Indian judiciary today stands at a remarkable juncture. It faces a confluence of challenges and opportunities brought about by rapid societal change, disruptive technologies, and rising public expectations. And yet, ***amid this flux, its fundamental task remains unchanged: to serve as the vigilant sentinel of the Constitution.*** As a judge of the Supreme Court of India, I have witnessed this transformation unfold—not just in the cases we adjudicate, but in the expectations citizens bring to the court, and the tools we now employ to deliver justice. I hope to offer today a few reflections on this pivotal moment for the Indian judiciary, grounded in our democratic ethos and constitutional vision.

THE INDIAN JUDICIARY: HISTORICAL RESILIENCE, CONTEMPORARY CHALLENGES

3. India's judiciary is a product of its unique historical, civilizational, and constitutional evolution. The dual character of the Indian judiciary is what sets it apart from many others across the world. At the heart of our judicial system lies the ancient concept of *Dharma*—a complex, multifaceted ideal that encompasses duties, righteousness, moral order, and justice. At the same time, Indian judiciary is a modern institution forged in the crucible of its Constitution—an audacious document that sought to harmonize the values of liberty, equality, and justice with the plural and diverse fabric of Indian society.
4. Since Independence, the judiciary has played a transformative role—from the assertion of fundamental rights in the landmark ***Kesavananda Bharati*** ruling, to expanding the scope of personal

liberty in the judgment ***Maneka Gandhi***, to environmental stewardship and social welfare jurisprudence in the decades that followed.

5. This history is not merely about bold judgments. It is about the judiciary's willingness to listen—to hear the voices of the marginalized, the silenced, the forgotten and the invisibles. It is about walking the tightrope between the law as written and the law as it ought to serve the society.
6. But today, we confront a dramatically altered landscape. Rapid urbanization, a burgeoning digital economy, generational shifts in values, and the emergence of a data-driven public discourse have placed unprecedented demands on judicial institutions. As the philosopher Alvin Toffler once wrote:

“The illiterate of the 21st century will not be those who cannot read and write, but those who cannot learn, unlearn, and re-learn.”

7. That adage holds true for institutions also--esecially for those charged with interpreting the law in a society that is constantly reinventing itself.

PUBLIC EXPECTATIONS IN A HYPERCONNECTED DEMOCRACY

8. In a digital democracy, public trust is no longer just earned through reasoned judgments; it must also be reflected in transparency, accessibility, and responsiveness. People today want courts that are not only learned but also empathetic, not only efficient but also humane. They expect the judiciary to speak in a language they understand, to operate

with a sense of urgency, and to adapt to the rhythms of contemporary life.

- 9.** The power of the internet and social media has made judicial decisions instantly available to a global audience. This digital transparency brings both accountability and vulnerability. A nuanced decision can be reduced to a headline or hashtag, stripped of its legal complexity. In this environment, how the judiciary communicates, how it explains its reasoning, and how it carries itself with dignity and restraint, have become as important as the outcome itself.
- 10.** I earnestly believe that this change in expectations must be met not with defensiveness, but with thoughtful engagement. We must recognize that transparency is not antithetical to judicial

independence; rather, it strengthens public confidence. A judiciary that shares its processes, methods, and principles in clear and open terms, empowers citizens to trust its workings, even when outcomes may differ from personal expectations. Transparency can bridge the gap between judicial logic and public perception, allowing people to see not only what was decided, but how and why.

- 11.** However, transparency alone is not enough. It must be accompanied by an active effort to foster judicial literacy—helping the public understand the complexities of legal reasoning and constitutional values. As courts become more visible, so too must their work become more comprehensible. Legal awareness campaigns, simplified summaries of key judgments, partnerships with educational institutions, and open dialogue forums can

demystify judicial functioning. This is not merely about educating the public; it is about inviting them into a shared constitutional consciousness, where legal principles become part of everyday civic life. When citizens understand the safeguards of due process, the role of precedent, and the limitations under which courts operate, they are better equipped to both respect judicial decisions and critically engage with them in constructive ways.

- 12.** Yet, even as we open judicial processes to greater understanding and dialogue, we must remain vigilant against the dangers posed by viral misinformation and media trials. These phenomena threaten to distort rather than deepen public engagement. Misleading narratives, selectively edited clips of court proceedings, and uninformed commentary on complex legal matters often obscure

the factual matrix and legal reasoning that undergird a judgment. Without judicial literacy, transparency can be weaponized—leading to misinterpretation rather than insight. When judicial decisions are judged in the court of public opinion before they are understood in the court of law, the result is not civic empowerment but confusion, cynicism, and, ultimately, erosion of trust.

- 13.** In today's hyper-connected world, we are witnessing the rise of a vast digital community—vocal, impatient, and often uninformed—whose engagement with law is shaped less by understanding and more by sentiment. Many among them expect courts to deliver judgments that align with their transient emotions and impulses. When courts adhere to the rule of law and the foundational values of constitutionalism, what follows is not

reasoned critique, but a barrage of trolling, misinformation, and personal attacks. This phenomenon poses a subtle yet significant threat to the independence of the judiciary, especially in a globalized digital age. The challenge before us is not merely reputational—it is institutional. And it must be met not with timidity, but with the firmness and clarity of purpose that befits a constitutional democracy governed by reason, not rhetoric.

- 14.** Let us remember that in a democracy, the legitimacy of the judiciary rests not on coercive power but on moral authority and public trust. And that trust must be nurtured, not assumed. It is strengthened when people feel that the judicial system belongs to them—that it speaks their language, hears their concerns, and upholds their dignity. The road ahead requires balancing openness with responsibility,

clarity with restraint, and engagement with integrity. In doing so, ***we reaffirm the judiciary's role not just as an interpreter of law, but as a guardian of constitutional values and constitutional morality in the public conscience.***

THE TECHNOLOGICAL TURN: FROM E-COURTS TO AI

15. In our effort to build a more transparent, accessible, and trustworthy judiciary, one cannot ignore the sweeping changes brought about by technology in recent years. Over the past decade, the Indian Judiciary has witnessed a quiet revolution—one driven not by statutes or judgments, but by technology. It has begun to transform courtrooms, case management systems, and legal research in India. The e-Courts Mission Mode Project has digitized and translated records, enabled online filing, and brought in virtual hearings—

developments that proved crucial during the COVID-19 pandemic. Even as we return to physical courtrooms, the hybrid model is here to stay. In our Supreme Court, we now routinely hear cases via video conferencing, allowing litigants from remote corners of the country to participate without the burden of travel.

- 16.** This technological advancement is part of our broader commitment to ensuring access to justice and making the justice delivery system more affordable and efficient. By leveraging technology, we are not merely modernizing court processes—we are fulfilling a constitutional promise: that justice must not remain confined to courtrooms but must reach the doorstep of every citizen.

17. Therefore, the journey of technological transformation is far from complete. The digital shift has laid the foundation—but it is Artificial Intelligence that may define the next leap in judicial efficiency and innovation. Artificial Intelligence holds promise for reducing administrative burdens, improving case-flow management, and assisting in legal research. Predictive tools could help courts anticipate case durations and better allocate resources. Natural language processing may revolutionize translation services across India's linguistically diverse courts.

[Inputs from the Microsoft Event to be added]

18. But I must add here that Artificial Intelligence should be deployed cautiously. It must operate within strict ethical parameters, respecting privacy, due process, and judicial discretion. AI can assist but cannot

replace the uniquely human dimensions of judging—empathy, discretion, and moral reasoning. ***We do not—and ought not—expect Artificial Intelligence to resolve the deeply human crises that courts confront every day. No algorithm can truly account for the mitigating circumstances of a convict, the age and ailments of an undertrial, or the fragile family background of a juvenile.*** These are not data points—they are human realities, shaped by emotion, context, and compassion. Technology may assist us, but it can never replace the moral judgment and compassion that justice demands.

- 19.** Another aspect of Artificial Intelligence and Digital shift that merits due consideration is ***Inclusivity.*** Digital justice cannot become a privilege of the digitally literate. We must work to ensure that

technological advancements do not exacerbate existing inequalities—between urban and rural, rich and poor, connected and unconnected. Underscoring the idea of this substantive equality, a woman member of the Indian Constituent Assembly, Hansa Mehta had said and I quote:

“We have never asked for privileges. What we have asked for is social justice, economic justice.”

These words hold significance even in the present context as it demands inclusivity not merely symbolically, but to dismantle barriers and create real, structural pathways to equality.

- 20.** The same is true of digital democracy. It must rest on digital inclusion and equal access to justice. To this end, efforts must be multiplied to improve

internet penetration in rural courts, develop user-friendly digital platforms in local languages, and offer legal aid services that are technologically enabled. Courtrooms must not only be physically open—they must be digitally navigable by all.

- 21.** Equally important is the need to ensure that marginalized sections—such as those living below the poverty line, senior citizens, women without independent livelihoods, and vulnerable children—are equipped with the necessary tools, whether smartphones, digital devices, or user-friendly software. As part of welfare schemes, providing such access is essential not just for inclusion, but to empower them to engage with and navigate the justice system with dignity and independence.

INSTITUTIONAL INTEGRITY AND JUDICIAL INDEPENDENCE

- 22.** As we embrace these technological advancements, it becomes imperative to reflect on the foundational values that must guide their integration. Innovation must not come at the cost of institutional integrity. In fact, the adoption of digital tools compels us to re-examine how we protect the principles of judicial independence, impartiality, and accountability in an age where the speed of information often outpaces deliberation. The next frontier of judicial evolution, therefore, lies not merely in adapting to technological change, but in ensuring that our core constitutional ethos remains inviolable amid such transformation.
- 23.** In navigating change, the judiciary must remain grounded in its basic principles—foremost among them, independence. Judicial independence is not a privilege of judges; it is a safeguard for citizens. It

ensures that power, however popular or pervasive, is always subject to reason, review, and restraint. In the Indian context, this independence has often been asserted with courage. There are instances to underscore that the independence of the judiciary is not self-serving—it is essential to preserving the rule of law and maintaining the delicate balance of powers envisioned by our Constitution.

24. At the same time, independence does not mean insulation. The judiciary must remain responsive to societal realities, open to criticism, and vigilant against complacency. Institutional reform is a mark of maturity, not weakness. We must examine our own functioning—delays in the justice delivery system, pendency of cases, and inconsistencies in precedent—with honesty and a resolve to improve.

Timely judicial appointments at all levels, better case

management, enhanced infrastructure, and mental well-being for judges and staff are not just administrative issues—they are foundational to judicial legitimacy.

25. Furthermore, a transparent system of judicial review, public availability of court data, and inclusive consultation processes can help build a judiciary that is not just independent, but also interdependent—reliant on the trust and collaboration of the other organs of the state and the people.

26. The future demands from us not perfection, but commitment. A commitment to the rule of law, an active stakeholder in good governance, to institutional renewal, and to ensuring that our structures evolve with the nation they serve.

CONSTITUTIONAL MORALITY IN A PLURAL SOCIETY

- 27.** As we examine the institutional frameworks and ethical commitments that sustain the judiciary, it is equally important to explore the deeper normative vision that guides our interpretation of justice in a complex, pluralistic society. The idea of constitutional morality, grounded in the values of liberty, equality, fraternity, and justice, offers both a compass and a conscience for the judiciary. As we move forward, it becomes essential to reaffirm this moral vision—not just in our judgments, but in the way we engage with India’s diverse social fabric and uphold the rights of all citizens, especially the most vulnerable.
- 28.** India’s Constitution is not a static document; it is a living charter of values. At its heart lie the principles of constitutional morality—an enduring commitment

to justice, liberty, equality, and fraternity. As judges, we are duty-bound not only to interpret the text but also to animate these values in our decisions. This requires sensitivity to India's plural traditions, its diverse communities, and the evolving aspirations of its people.

29. In recent years, constitutional courts in India have addressed issues ranging from safeguarding the rights of all genders and promoting women's empowerment to protecting fundamental human rights, alongside matters of data privacy, electoral integrity, and environmental protection. These judgments reflect the transformative potential of constitutional adjudication—not merely in redefining legal rights, but in recalibrating the very architecture of Indian democracy. The recognition of the right to privacy as a fundamental right in ***K.S. Puttaswamy***

v. Union of India reaffirmed the centrality of individual dignity in a surveillance-heavy digital age.

30. As part of the broader affirmation of the inclusive promise of constitutional morality, Indian courts have progressively expanded the rights of accused and convicted persons. This includes recognizing the restoration of conjugal rights for convicts in ***Jasvir Singh v. State of Punjab***, pioneering the concept of open jails, and affirming certain fundamental rights even for those languishing in incarceration. Such judgments reflect a humane approach to justice and underscore the courts' commitment to jail reforms that uphold dignity, rehabilitation, and social reintegration.

31. The judiciary's interventions to ensure transparency in political financing, electoral disclosure, and the

protection of environmental commons also reflect an evolving jurisprudence that is both rights-oriented and future-conscious. These decisions are emblematic of a judiciary that sees itself not merely as an arbiter of legal disputes, but as a catalyst for democratic renewal—one that ensures the Constitution remains a living, breathing document responsive to the aspirations of a plural society.

32. But with such influence comes a profound responsibility. The exercise of judicial power must be tempered by humility and guided by constitutional boundaries. Courts must not supplant the role of the legislature or override the will of the people. Instead, they must act as facilitators of democratic dialogue—strengthening participatory governance, protecting vulnerables, and ensuring that the rule of law prevails even in moments of political uncertainty.

Judicial overreach, however well-intentioned, risks unsettling the delicate balance of powers. True constitutional guardianship lies not in dominance but in restraint—an ethos that reaffirms the judiciary’s legitimacy in a vibrant democracy.

33. To quote Mahatma Gandhi:

“The true source of rights is duty. If we all discharge our duties, rights will not be far to seek.”

A judiciary imbued with constitutional morality fosters a culture of mutual responsibility—between state and citizen, between right and duty.

A JUDICIARY FOR THE FUTURE: VISION AND VALUES

34. In a globalized world, judiciaries across nations face common challenges—climate change, digital misinformation, AI regulation, migration, and cross-

border crimes. There is much we can learn from comparative constitutionalism and international best practices. At the same time, Indian constitutionalism remains deeply rooted in its own history and social realities. Our legal traditions are shaped by a multiplicity of cultures, languages, and belief systems. The solutions we seek must resonate with our local contexts even as we embrace global ideas.

- 35.** Diaspora communities like yours play a unique role in this exchange. You are bridges between cultures, between legal systems, and between values. Your engagement with India—through scholarship, advocacy, or philanthropy—enriches our national discourse. I invite you to be stakeholders in India's judicial future. In this, we must strengthen transnational judicial dialogue. Collaborations

between Indian and foreign courts on issues like data protection, gender justice, and climate jurisprudence will shape not just national, but global democratic futures.

36. Before I end, I ask myself - where does this journey lead us? It leads us to a judiciary that is more accessible, more accountable, and more attuned to the needs of a changing society. It leads us to judges who are not only legal experts but also community listeners, social thinkers, and moral leaders. It leads us to an institution that embraces change without compromising character.

37. To quote a prominent American jurist, Justice Benjamin Cardozo:

“The great tides and currents which engulf the rest of men do not turn aside in their course and pass the judges by.”

Indeed, we are shaped by the same currents of history and humanity. Our challenge is to harness them with courage, clarity, and compassion.

- 38.** This vision also includes a commitment to young legal minds. We must equip the next generation of lawyers and judges not only with knowledge of law, but with tools of empathy, ethics, and innovation. Legal education must evolve, embracing experiential learning, interdisciplinary methods, and exposure to real-world challenges.

CONCLUSION: THE PROMISE OF JUSTICE

- 39.** In closing, let me return to the constitutional pledge we have taken: to secure justice—social, economic, and political—for all. This is not merely a legal task.

It is a moral calling. And in fulfilling this calling, we must remain anchored in our constitutional values even as we innovate in form, method, and outreach.

- 40.** As India strides forward into a new era of national aspiration, the judiciary must walk alongside its people, not as an ivory tower, but as a beacon of hope and fairness. Let us remember: courts may render judgments, but justice is delivered only when those judgments touch the lives of real people in meaningful ways.

Thank You.