

OPEN PEER REVIEW

Reimagining Legal Aid: A Political Critique of Access to Justice in Privatized Welfare States

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Received: 2025-08-01

Revised: 2025-12-20

Accepted: 2025-12-27

Published: 2026-01-01

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1. Round 1

1.1. Reviewer 1

Reviewer:

This paragraph provides a strong definition, but consider integrating a brief empirical reference or statistic to support the claim that legal aid is increasingly viewed as a “contingent service.”

This section introduces Rawls effectively but should mention that Rawls’s original position theory also assumes idealized institutions—a point that is relevant to critiques of justice delivery.

When citing CLS and feminist legal critique, it would strengthen the argument to name foundational scholars (e.g., Duncan Kennedy or Martha Fineman) to contextualize the intellectual lineage.

The phrase “Legal services...are provided not out of benevolence but as part of a broader strategy...” is impactful but might be seen as overly deterministic. Consider acknowledging debates within Marxist state theory.

This paragraph discusses rural exclusion well but would benefit from noting digital divide issues and their growing relevance in accessing legal aid.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

The sentence, “These questions are not only academic—they are vital for informing legal reform...” would benefit from an explicit link to the policy relevance of the findings. Consider including an example of ongoing reform efforts or legal debates.

Consider specifying what is meant by “political critique” to clarify the analytical lens guiding the article—e.g., critique from a structuralist, Marxist, or feminist standpoint.

The term “universalism” is central here. It would be helpful to define it more precisely in contrast to “targeted” or “residual” welfare models, particularly for readers unfamiliar with comparative social policy.

This paragraph makes an important point about cooperative federalism. However, it could be improved by briefly explaining how provincial-federal dynamics affect legal aid variability across provinces.

While outsourcing is well described, the article could benefit from concrete examples or data about performance-based contracts and their implications.

The sentence, “Legal aid, once emblematic of social solidarity...” is powerful but might benefit from a citation to support the claim about political discourse reframing poverty.

The discussion of “means testing” is excellent but could be improved by including a critical note on how digitalization (e.g., online forms) may further exclude certain users.

Authors revised the manuscript and uploaded the document.

2. Revised

Editor’s decision: Accepted.

Editor in Chief’s decision: Accepted.