



Mains Practice Question

Q. Discuss the desirability of greater representation to women in the higher judiciary to ensure diversity, equity and inclusiveness.

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Approach

- Start with giving some latest data/facts to show the gender gap in the higher judiciary.
- Discuss the desirability of greater representation of women in judiciary.
- Conclude with some measures to reduce the gender gap in higher judiciary.

Answer

In the recent instances concerning women in judiciary, the Chief Justice of India, N.V. Ramana called for 50% representation of women in the judiciary.

According to the latest data on the gender gap in judiciary, it is highlighted that the Supreme Court only has 2 women judges and there has never been a female Chief Justice of India. There are only around 80 women judges out of the total sanctioned strength of around 1100 judges in the higher judiciary.

The Sustainable Development Goals (SDG 5 and SDG 16, in particular), address the global responsibility of having gender equality and women's representation in public institutions such as the judiciary. Achieving equality for women judges, in terms of representation at all levels of the judiciary, should be the ultimate goal.

Being a woman does not limit her critical thinking and capability to render justice. Judicial benches having representation of women give either a new dimension or broader acceptance to legal principle/interpretation.

By their mere presence, women judges enhance the legitimacy of courts, sending a powerful signal that they are open and accessible to those who seek recourse to justice. The legal profession, as a gatekeeper of equality and as an institution committed to the preservation of rights, should be emblematic of gender equality.

Improving the representation of women in the judiciary is of crucial importance and has to go a long way towards a more balanced and empathetic approach in cases involving sexual violence. Changing the long-established demographics of a court can make the institution more amenable to consider itself in a new light, and potentially lead to further modernization and reform.