
WOMEN IN INDIAN JUDICIARY

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ABSTRACT

For decades, the Indian judiciary has been known to be a male-dominated arena. However, in recent years, we have witnessed a significant shift in the representation of women in the Indian judiciary. Women judges are playing a crucial role in ensuring justice and equality for all citizens of the country. Despite facing numerous obstacles like gender bias, social norms, and patriarchy, these women have managed to break through the glass ceiling and leave a mark in the Indian judicial system. In this article, we will take a closer look at the inspiring stories of some of these women, the challenges they faced, and how they overcame them in their journey of becoming successful judges. Join us as we celebrate the power and resilience of women in the Indian judiciary.

Introduction to the history of women in Indian Judiciary

The Indian Judiciary has had a long and rich history, but it is only in the recent past that women have begun to make significant strides in the field. The Indian legal system, like that of many other countries, has historically been male-dominated. Women were not encouraged to pursue careers in law, and those who did faced significant challenges and discrimination.

The first woman to be admitted to the legal profession in India was Cornelia Sorabji in 1892. Despite her accomplishments, she was not allowed to practice law in the courts of British India because of her gender. It wasn't until 1923 that the legal profession was opened up to women in India, with the passage of the Legal Practitioners (Women) Act. Even then, it was an uphill battle for women to be taken seriously in the field.

In the early years, women lawyers were not given a fair chance to succeed. Many law firms refused to hire them, and they were often excluded from important cases. However, over time, women began to break down these barriers and make significant contributions to the Indian Judiciary. Today, there are many women judges, lawyers, and legal scholars who have achieved great success in the field.

Despite the progress that has been made, there is still much work to be done to achieve gender equality in the Indian Judiciary. Women continue to face discrimination and biases, and there is a need for greater representation at all levels of the legal system. However, the history of women in Indian Judiciary provides hope and inspiration for future generations of women who aspire to succeed in the field.

The number of women judges in India: trends and figures

The judiciary system in India has been traditionally male-dominated, with women struggling to break the glass ceiling for years. However, in recent times, the number of women judges has seen a significant rise.

As of December 2020, out of the 25 judges in the Supreme Court of India, only one is a woman. The picture is slightly better in High Courts, where the percentage of women judges is around 11-12%. However, these numbers are still low considering that women make up almost half of the country's population.

The scenario is more promising in lower courts, where the number of women judges is higher. According to a report by the Vidhi Centre for Legal Policy, women make up for around 28% of all judges at the district level.

Despite the increase in numbers, there is still a long way to go in achieving gender equality in the judiciary system of India. There is a need for more women to enter the legal profession, and the system needs to become more supportive of women's careers. Women judges play a crucial role in ensuring access to justice for all, and it's time to break the glass ceiling and make the judiciary more inclusive.

The challenges women face in the Indian Judiciary system

Although the Indian Judiciary system is considered to be one of the most prestigious and powerful branches of the government, it has been male-dominated for a long time. The challenges that women face in this system are immense and often discouraging. One of the biggest challenges is the deep-seated patriarchal mindset that has been prevalent in Indian society for centuries. Women are often seen as emotional and not capable of making tough decisions, which makes it difficult for them to gain respect and recognition in the judiciary system.

Another challenge that women face is the lack of support from their male colleagues. Women judges are often excluded from important discussions and are not given the same opportunities to advance their careers as their male counterparts. This can be due to the lack of women in higher positions of power, which makes it difficult for them to advocate for themselves and for other women. It can also be attributed to the systemic bias that favors men over women.

Additionally, women who decide to pursue a career in the judiciary system often face societal pressure to adhere to traditional gender roles, such as being a homemaker or caregiver. This can create a difficult work-life balance, which can hinder their career progression.

Despite these challenges, there have been many women who have broken the glass ceiling and made significant strides in the Indian Judiciary system. With the implementation of policies that promote gender equality and the encouragement of women to pursue careers in the judiciary, it is hopeful that more women will be able to break through the barriers and make a positive impact on the system.

The initiatives taken to encourage women in the Indian Judiciary

India has taken numerous initiatives to encourage women to join the Indian Judiciary. The government, as well as the judiciary, has taken various steps to ensure that women are given equal opportunities to become judges and participate in the administration of justice in India.

One such initiative is the creation of the National Commission for Women. This commission was established in 1992 as a statutory body to oversee and advise the government on all matters relating to the status of women in India. The commission has been instrumental in ensuring that women's rights are protected and that they are given equal opportunities in all fields, including the judiciary.

Another initiative taken by the government was the introduction of reservation for women in the judiciary. The reservation policy was introduced in 1993, and since then, the number of women judges has increased significantly. As per the latest data, women constitute around 28% of the total number of judges in India.

The judiciary has also taken various steps to encourage women to join the legal profession. The Bar Council of India has introduced various schemes and programs to provide financial assistance to women who want to pursue a career in law. Additionally, many law schools and colleges have started offering scholarships to female students to encourage them to enter the legal profession.

Overall, these initiatives have been crucial in breaking the glass ceiling for women in the Indian Judiciary. However, there is still a long way to go in achieving complete gender equality in the legal profession. It is important that the government, the judiciary, and the legal community continue to work towards creating an inclusive and gender-neutral legal system in India.

The role of women judges in promoting gender justice

The role of women judges in promoting gender justice is a crucial aspect of breaking the glass ceiling in the Indian judiciary. With women constituting only a small percentage of the judiciary, their presence and contribution can make a significant difference in promoting gender equality and justice.

Women judges bring a unique perspective to the bench, having faced gender discrimination and bias themselves. This allows them to empathize and understand the plight of women who come before them seeking justice. Their presence also sends a powerful message to society that women are capable of holding positions of power and responsibility in the legal system. Moreover, women judges can also help in changing the way the legal system operates. For instance, they can encourage a more victim-centric approach to justice, where the focus is on the needs and rights of the victim rather than on the accused. They can also promote alternative dispute resolution mechanisms that are more gender-sensitive and survivor-friendly. In conclusion, women judges have an important role to play in promoting gender justice in the Indian judiciary. It is essential that more women are appointed to the bench and given the opportunity to contribute their unique perspective and experience to the legal system. Only then can we hope to break the glass ceiling and achieve true gender equality in the judiciary.

The impact of women in the Indian Judiciary: case studies and examples

The impact of women in the Indian Judiciary can be seen through various case studies and examples. One such example is Justice Fathima Beevi, the first woman judge appointed to the Supreme Court of India in 1989. Her appointment paved the way for other women to enter the judiciary and inspired many to take up law as a profession.

Another notable example is Justice Ruma Pal, who served as a judge of the Supreme Court of India from 2000 to 2006. During her tenure, she gave several landmark judgments, including the famous 'Best Bakery case' which dealt with the Gujarat riots of 2002. Women judges have also played a significant role in cases involving women's rights, such as Justice Gyan Sudha Misra's landmark judgment in the Vishakha case, which recognized sexual harassment at the workplace as a violation of fundamental rights. In recent times, women judges have been at the forefront of several important decisions, such as Justice Indu Malhotra's judgment in the Sabarimala case, which allowed women of all ages to enter the Sabarimala temple in Kerala.

Overall, the impact of women in the Indian Judiciary has been immense, with their presence leading to greater gender diversity and the delivery of more progressive judgments. It is important to recognize and celebrate the contributions of these women as they continue to break the glass ceiling in the Indian Judiciary.

A comparison between the Indian Judiciary and other countries

When it comes to women's representation in the judiciary, India has made significant progress in recent years. However, when compared to other countries, it becomes clear that India still has a long way to go. In countries like Australia, Canada, and the United States, the percentage of women judges is much higher than in India. The US, for example, has had three women on the Supreme Court since 1981, which has helped to increase the visibility of women in the judiciary.

In contrast, India only saw its first female Supreme Court judge in 1989, and it has taken many years for the number of women judges at all levels of the judiciary to start increasing. While we have seen progress, it is important to note that there is still a significant gender gap in the Indian judiciary.

There is a need to encourage more women to enter the legal profession and provide them with equal opportunities to succeed. This can be achieved through initiatives such as mentorship programs, formal training, and support networks. By ensuring that women have a fair chance to succeed in the legal profession, we can work towards breaking the glass ceiling and achieving greater gender parity in the Indian judiciary.

The need for more women to participate in the Indian Judiciary

The Indian Judiciary has seen an increase in women participating at various levels in recent times, but there is still a long way to go. Women are underrepresented in the judiciary, with only about 30% of the judges being women. This has highlighted the need for more women to participate in the Indian Judiciary, not just to address the gender imbalance but also to bring in diverse perspectives and experiences.

There are several reasons for the low representation of women in the judiciary, including cultural and societal biases, lack of opportunities, and gender-based discrimination. However, steps are being taken to address these challenges. The government has introduced various schemes to encourage women to take up careers in law, such as scholarships and financial assistance for legal education.

Additionally, many organizations are working towards creating a more inclusive and diverse judiciary. They are conducting awareness campaigns, training programs, and mentorship

initiatives to encourage more women to pursue careers in law and judiciary. This is a positive step towards breaking the glass ceiling and achieving gender equality in the Indian Judiciary.

It is essential to have a judiciary that represents and serves all sections of society. A diverse and inclusive judiciary will bring in different perspectives and experiences, leading to better judgments and a more equitable justice system. Therefore, it is crucial to encourage and support more women to participate in the Indian Judiciary.

Suggestions for women who aspire to become a judge in India

Breaking the glass ceiling in the Indian judiciary system is no easy feat, but it is not impossible. Here are some suggestions for women who aspire to become a judge in India.

1. Education is key – Complete your law degree from a reputable institution and strive for excellence in your academics.
2. Gain experience – Work as an intern in a law firm or as an assistant to a practicing lawyer, to gain practical experience and exposure to court proceedings.
3. Preparation for competitive exams – To become a judge in India, you need to clear the competitive exams organized by the state or central government. Prepare well for these exams, and make sure to stay up-to-date with current affairs and legal developments.
4. Networking – Build a strong network of lawyers and judges, attend legal conferences, seminars and workshops to make valuable connections and gain insights into the legal profession.
5. Be persistent – The road to becoming a judge is long and challenging, but persistence is key. Keep working hard, stay focused on your goal and do not let setbacks discourage you.
6. Stay up-to-date – Keep yourself informed about the latest legal developments, and be prepared to learn and adapt as the legal system evolves.

Breaking the glass ceiling is never easy, but with the right education, experience, preparation, networking, persistence, and commitment, women can definitely make their mark in the Indian judiciary system.

Conclusion: The future of women in the Indian Judiciary.

In conclusion, the Indian Judiciary has come a long way in terms of gender diversity, but there is still a long way to go. With more women taking up law as a career, it is expected that the representation of women in the Indian Judiciary will increase significantly in the coming years. It is important to acknowledge the efforts of the Indian Judiciary to promote gender diversity and inclusivity. However, there is a need for more policies and initiatives that will support and enable women to reach leadership positions in the judiciary.

It is also important to acknowledge the challenges women face in the Indian Judiciary, including gender bias, stereotyping, and harassment. These issues need to be addressed to ensure a safe and inclusive working environment for all women in the judiciary. Overall, the future of women in the Indian Judiciary looks promising. With more women entering the profession, and policies and initiatives aimed at promoting gender diversity and inclusivity, we can hope for a judiciary that is truly representative of the Indian population.