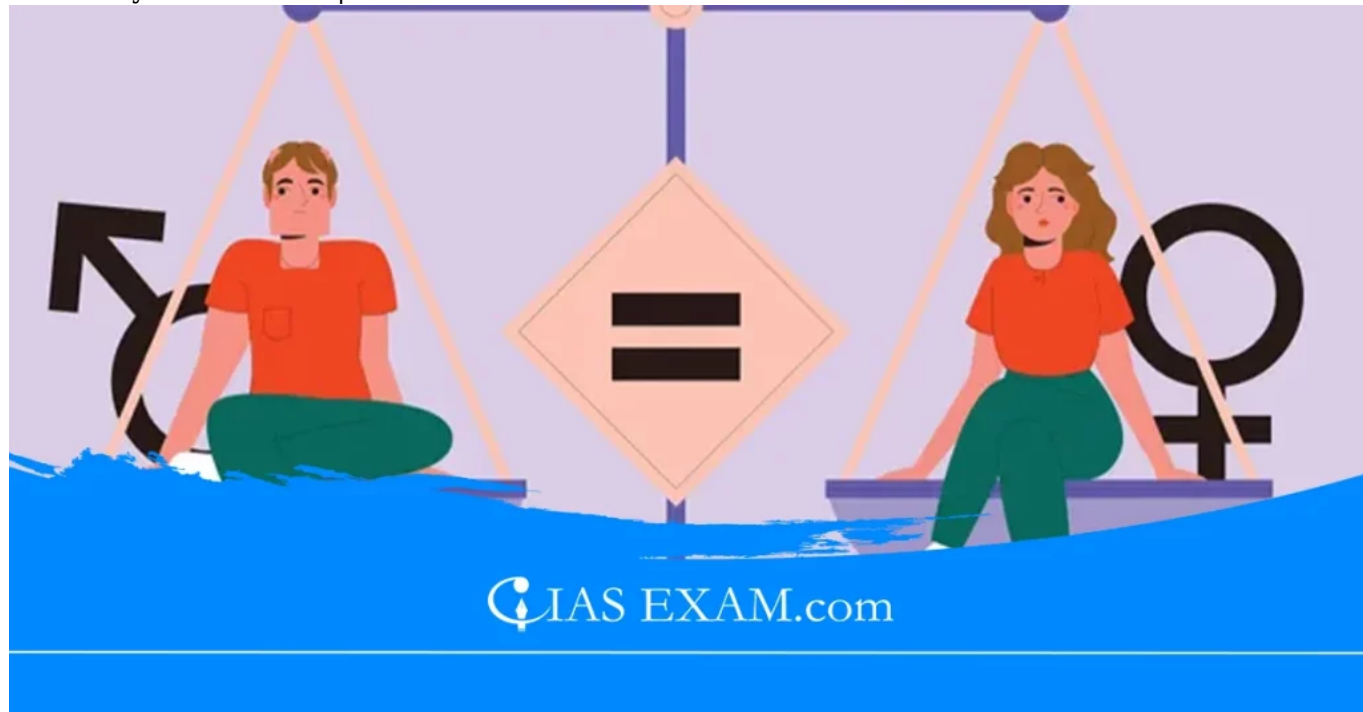


# Gender diversity in India's justice delivery system

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## Context

On International Women's Day, it is important to look into the **state of gender diversity in India's justice delivery system**, as highlighted in the recent **India Justice Report (IJR)**.

## Disparities Highlighted by India Justice Report (IJR)

- **Subsystem Disparities**
  - The IJR highlights that the gender gap extends its reach into every subsystem of the justice delivery system, together with the police, judiciary, prisons, legal aid, and human rights commissions.
  - This comprehensive document highlighted the systemic nature of the issue, suggesting that the problem is not isolated however pervasive across all aspects of the justice system.
- **Quotas and Limited Progress**
  - While quotas had been instrumental in facilitating the inclusion of women, their effect seems to be concentrated in lower echelons of the justice delivery system.
  - The document's facts shows that notwithstanding these affirmative action measures, women aren't proportionately represented in higher-rating positions.

- **Numerical Underrepresentation**

- A brief estimation in the IJR exposes the stark reality that there are about only three lakh women in the justice delivery system.
- The numbers now not only replicate an inadequate representation but additionally trace at deeper structural troubles inhibiting the whole participation of women in the justice system.

- **Judiciary's Gender Disparity**

- In the judiciary, the statistics exhibits a concerning trend wherein, regardless of the presence of women in the lower ranks, their numbers appreciably decrease as one ascends the hierarchy.
- For instance, at the same time as 35% of subordinate judges are women, this share plummets to a mere 13% in the high courts.
- The obvious loss of women in the Supreme Court, with three women judges, increases questions about the accessibility and inclusivity of the highest echelons of the justice system.

- **Leadership Void**

- The maximum glaring is the absence of a woman Chief Justice of India, a role that has remained elusive to women despite many years of existence.
- Even in high courts, where the glass ceiling should have been shattered over the years, 16 women have held the position of leader justice for over seven decades.
- This leadership void underscores the entrenched limitations stopping women from reaching the top of the judicial hierarchy.

## **NHRC's Gender Imbalance and Limited Women Representation**

- The NHRC, predicted as an exemplar of equity and justice, has failed in embodying those concepts concerning gender representation.
- The IJR reveals that, at some stage in its life, the NHRC has in no way had a woman commissioner.
- This absence of women at the only ranges of selection-making in a commission tasked with safeguarding human rights is a stark instance of institutional apathy towards gender diversity.
- The IJR's findings expand beyond the NHRC, encompassing state commissions as well.
- Across the country, these establishments exhibit a striking lack of subject for gender diversity. As of 2022, most effective six commissions had women serving as participants or secretaries.
- The absence of women chairpersons, with only Kerala, Meghalaya, and Punjab having a lone woman member every, emphasises the entrenched nature of gender imbalance in those pivotal bodies.

## **Possible Reasons Behind the Disparity**

- **Lack of Initiative: Institutional Apathy**

- The dearth of women in key roles in these commissions reflects no longer

only a numerical deficiency but also a loss of initiative to actively address and rectify this imbalance.

- The IJR findings recommend a notable apathy in those institutions, wherein the imperative to foster gender variety is either left out or deemed a secondary concern.

- **Complacency**

- The state commissions, mirroring the NHRC's deficiencies, fail to function as beacons of gender inclusivity.
- The IJR's information presents a disheartening photograph, with only a handful of commissions displaying a willingness to rent women to decision-making positions.
- The absence of proactive measures to rectify this imbalance perpetuates an institutional way of life detached to the blessings of diverse perspectives and reports.

- **Deflection of Responsibility**

- Instead of addressing the root causes of gender disparity, decision-makers in those establishments regularly move to deflecting responsibility.
- The excuse of "issues" in "accommodating" greater women is a not unusual deflection tactic, diverting attention from the pressing need to assign present institutional structures and cultures that inhibit the entry and retention of women.

## Potential Benefits of Creating Diversity in the Justice Delivery System

- **Global Research Findings**

- Across the world, studies always underscore the nice impact of various and inclusive offices.
- The IJR aligns with this global angle, emphasising that the inclusion of women, in conjunction with other diversities, has the capability to reshape institutional lifestyle in the justice system.
- It challenges the status quo by introducing fresh views, reviews, and approaches that make a contribution to a more comprehensive know-how of complicated issues.

- **Internal Dynamic Transformation**

- The inclusion of women in traditionally male-dominated establishments alters inner dynamics by hard entrenched norms and fostering a subculture of openness.
- This transformation extends beyond mere numerical illustration; it involves the mixing of numerous viewpoints, communication styles, and hassle-fixing tactics.
- Women, as imperative members, can catalyse a shift towards greater collaborative, empathetic, and innovative decision-making strategies.

- **Enhanced Public Perception**

- Inclusive establishments no longer only advantage internally however additionally enhance public agreement and perception.
- The justice delivery system, while reflective of the various populations it serves, will become greater responsive, credible, and representative of societal values.
- This alignment among the group and the general public it serves strengthens the legitimacy and effectiveness of the justice device, fostering a sense of trust and inclusivity.

## Way Forward

- **Institutional Preparedness**

- The name for institutional change starts with a demand for preparedness. Justice directors are entreated to proactively deal with the systemic challenges hindering the inclusion of women.
- This entails a complete assessment of current structures, regulations, and practices to discover and dismantle boundaries that avert the total and equitable participation of women at all levels of the justice system.

- **Leadership by Example**

- The absence of a woman Chief Justice of India and the scarcity of women in leadership roles in the judiciary underscore the need for a paradigm shift.
- Institutions have to actively promote and support the upward thrust of women to leadership positions, challenging preconceived notions and dismantling the glass ceiling that has traditionally confined their upward mobility.

- **Re-exam of Recruitment and Retention Practices**

- There is a want for a crucial re-exam of recruitment and retention practices in the justice transport system.
- This includes a radical assessment of hiring practices, promoting standards, and measures to ensure the equitable treatment of women and men throughout their careers.

**Source:** [The Indian express](#)

### **UPSC Mains Practice Questions**

**Q. Discuss the desirability of greater representation to women in the higher judiciary to ensure diversity, equity and inclusiveness. (2021)**