

Judicial Diversity in India: Promoting Women's Equal Participation in the Higher Judiciary

Milind Gajadhane¹, Abhishek Lad², Vilas Kadam³

Assistant Professor¹, 1st Year LLB², Professor³

Nalanda Law College, Gorai, Borivali (W), Mumbai, Maharashtra, India

Abstract: *The presence of diversity is an intrinsic characteristic of democratic nations. Nevertheless, in numerous democratic nations like India, the court fails to accurately represent the extensive variety of the country. The majority of judges in the Supreme Court and High Courts in India are males of the cisgender gender and belong to the upper caste. This leads to a uniform viewpoint on law and justice. Female judges and lawyers encounter systemic obstacles such as gender biases, prejudice, mistreatment, and inadequate institutional and infrastructural assistance. Moreover, the presence of caste, class, sexuality, and religious identity contributes to the existence of several dimensions of oppression that necessitate careful consideration. This study employs a critical analysis of several feminist perspectives to shed light on the structural and hidden biases that contribute to the underrepresentation of women in the judiciary. Subsequently, we propose implementing institutional reforms aimed at fostering the establishment of a more inclusive higher judiciary in India.*

Keywords: Gender diversity, judicial appointments, constitutional courts, gender stereotyping, women participation