

### South Asian Women: Judiciaries

Dr. Suad Joseph, General Editor

Distinguished Professor of Anthropology and Women and Gender Studies, University of California, Davis

#### EWIC Staff: Datasheet

- ❖ The Indian judicial system is a continuation of the British judicial system. The levels of the judiciary in the Indian Supreme court represent a tiered hierarchy with the Supreme Court of India at the top, followed by the High Courts and then the District Courts. In 2014 the Supreme Court of India had thirty sitting judges; of these, two are women. Unlike the United States Supreme Court judges in India do not serve life terms but are required by law to retire by the age of sixty-five.<sup>1</sup> In 2014, of the 650 judges in all levels of Indian High Court 52 were women.<sup>2</sup>
- ❖ In Bangladesh the Supreme Court is organized into two categories, the High Court Division and the Appellate Division. As of September 2014 there were 8 Justices in the Appellate Division; as of 2014, two were women.<sup>3</sup> Of the 88 Justices in the High Court Division, in 2014 five were female justices. Like India, justices do not serve for life but are required to retire by age 67. The parliament in Bangladesh has more than sixty female members.<sup>4</sup>
- ❖ In Pakistan 5.4% of civil service employees are women. In 2014 female judges in Superior courts in Pakistan represented 2.91% of the judiciary. According to the 1996 UN Beijing Conference, Pakistan is required to increase this percentage to 33%. The Constitution of Pakistan grants equal access to women and includes legislative frameworks in place to empower women.<sup>5</sup> In December 2013 a female judge was sworn into Pakistan's National Sharia court; marking the first time in history that the Pakistani Sharia court had sworn in a female judge in its 33 year history.<sup>6</sup>
- ❖ In 2013 Afghanistan female judges represented 10% of the judiciary.<sup>7</sup> In 2008 this number was at 3%. The justices face a number of obstacles ranging from anti-government threats to social stigma. As of 2013 they represented five of Afghanistan's 34 provenances.<sup>8</sup> Numbers for 2014 in the United States for female judges indicated that of the 112 Justices who have served on the Supreme Court only four have been women. There were nine districts that have never had a female judge and the total number of women of color serving as active federal judges across the country was at 77 in 2014.<sup>9</sup> The total number of female judges in State Courts (Appellate, Intermediate Appellate, General and Limited and Special Jurisdiction Courts) was 4, 711 out of a total of 17, 489 judges.<sup>10</sup>

<sup>1</sup> September 8, 2014 <http://sci.nic.in/judges/judges.htm>

<sup>2</sup> July 3, 2013 <http://www.hindustantimes.com/india-news/newdelhi/indian-judiciary-needs-more-women-says-cji-designate/article1-1086111.aspx>

<sup>3</sup> September 8, 2014 [http://www.supremecourt.gov.bd/web/judges.php?div\\_id=1](http://www.supremecourt.gov.bd/web/judges.php?div_id=1)

<sup>4</sup> May 21, 2013 <http://www.humanrights.asia/news/ahrc-news/AHRC-STM-095-2013>

<sup>5</sup> August 7, 2013 <http://www.humanrights.asia/news/forwarded-news/AHRC-FAT-022-2013>

<sup>6</sup> December 13, 2013 <http://timesofindia.indiatimes.com/world/pakistan/Pakistans-sharia-court-gets-first-woman-judge-in-33-years/articleshow/28185284.cms>

<sup>7</sup> September 11, 2013 <http://feminist.org/news/newsbyte/uswirestory.asp?id=14594>

<sup>8</sup> September 3, 2014 <http://unama.unmissions.org/Default.aspx?ctl=Details&tabid=12254&mid=15756&ItemID=37235>

<sup>9</sup> September 10, 2014 <http://www.nwlc.org/resource/women-federal-judiciary-still-long-way-go-1>

<sup>10</sup> September 15, 2014 [http://www.nawj.org/us\\_state\\_court\\_statistics\\_2012.asp](http://www.nawj.org/us_state_court_statistics_2012.asp)