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## Women in Governance and Justice: Pathways to Equality and Sustainable Development

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### Abstract

The involvement of women in governance and justice systems is a fundamental element of both inclusive democratic processes and equitable development initiatives. While considerable advancements have been made globally in the pursuit of gender equality, women continue to be insufficiently represented within decision-making bodies and judicial frameworks. This study provides an analysis of the historical progression, the present circumstances, the existing obstacles, and the transformative possibilities associated with the incorporation of women in governance and justice. Utilizing global case studies and scholarly research in gender studies, the central argument posits that substantive representation not only fosters impartiality and legitimacy but also leads to improved policy results and heightened social confidence.

**Keywords:** Women Governance, Gender Equality, Sustainable Development.

### Introduction

Governance and justice mechanisms are instrumental in shaping the distribution of authority, the safeguarding of rights, and the establishment of accountability across all segments of society. Traditionally, men have held a disproportionate amount of power in these systems, resulting in the marginalization of women from both participation in decision-making processes and equitable access to justice.

However now time has changed nevertheless, recent decades have witnessed a concerted effort to promote gender parity within governance institutions and judicial appointments, propelled by global movements, international legal frameworks such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and various national-level reforms (United Nations, 2023).

This study investigates the significance of women's involvement in governance and justice, elucidates the advancements made to date, and identifies the ongoing challenges that remain.

### Theoretical Framework: Gender, Power, and Representation

A key component of attaining fair and sustainable development is the participation of women in government. The procedures used in societies to make and carry out decisions are

referred to as governance. Although women have historically been underrepresented in positions of leadership and decision-making, expanding their participation has been shown to improve social results, deepen democracy, and increase accountability.

Globally, the incorporation of women in governance roles demonstrates a gradual upward trend. Data from early 2025 indicates that women hold around 27.2% of national parliamentary seats and 22.9% of cabinet minister posts. While some regions have witnessed improvements and numerous countries have instituted quotas, male dominance in leadership persists, positioning true gender equality as a future aspiration that demands considerable policy reforms and widespread cultural evolution.

The women's participation in governance is predicated upon three fundamental theoretical pillars: First, democratic legitimacy which necessitates that a representative democracy accurately mirrors the demographic composition of its citizenry; the exclusion of women compromises the foundational principles of democracy.

Second, principles of justice and equity demand gender parity within governance structures and justice systems to guarantee impartiality and rectify entrenched biases inherent in legal frameworks and policy formulation.

Third, women's leadership is characterized by distinctive viewpoints and priorities, notably in domains such as social welfare, educational advancement, peace-building initiatives, and the mitigation of corruption, which frequently culminates in more comprehensive and equitable results (Krook, 2020).

Feminist institutionalism, as a scholarly framework, facilitates the examination of gender norms' influence on political and legal institutions, offering a critical perspective for analyzing both advancements and persistent obstacles within this sphere

Nevertheless, persistent patriarchal structures, coupled with economic disparities and instances of political unrest, continue to impede the engagement of women in governance processes (Tripp, 2015). Empirical studies suggest that female representation in leadership positions correlates with a heightened emphasis on policies concerning education, healthcare provisions, and familial well-being, alongside a reduction in corrupt practices (World Bank, 2023).

### **Women's Participation in Indian Context**

The integration of women into India's governance structures presents a multifaceted scenario, characterized by a divergence between constitutional mandates and empirical realities. While the representation of women in national and state legislatures remains comparatively low, the imposition of mandatory reservation policies at the local governance tier has yielded significant positive outcomes.

With respect to specific statistical indicators and representation levels, the composition of the 18th Lok Sabha, elected in 2024, reveals that women constitute only 13.6% of the total parliamentary membership, equivalent to 74 out of 543 representatives. This places India below global benchmarks, which average over 27%.

Similarly The Rajya Sabha exhibits same trend, with women accounting for approximately 13% of its members. moreover, the Union Council of Ministers formed in June 2024 includes a limited number of women, highlighting a persistent gender imbalance at the top of executive authority.

State Legislative Assemblies are no exception to this, demonstrating even lower levels of female representation, typically around 9-10% across most states.

However, the Panchayati Raj Institutions (PRIs) exemplify a success story. The 73rd and 74th Constitutional Amendments, which stipulated a 33% reservation for women in all local government bodies (Panchayats and Municipalities), have resulted in approximately 46% of elected representatives in rural local bodies being women.

Several states, including Bihar, Madhya Pradesh, and Himachal Pradesh, have augmented this reservation to 50%. This has significantly empowered numerous 'barefoot politicians', facilitating the prioritization of essential issues such as sanitation, water management, education, and healthcare within the framework of local governance.

In 2023, a pivotal advancement rather achievement was marked by the approval of the Nari Shakti Vandan Adhiniyam, known as the Women's Reservation Bill. This constitutional amendment mandates that one-third of the seats in the Lok Sabha and State Legislative Assemblies be reserved for women.

At present, despite its passage through both houses of Parliament, the bill's enforcement is yet to commence. The activation of this law is conditional, predicated on the completion of the next census and the subsequent delimitation exercise, which entails the realignment of constituency borders. Therefore, the materialization of the Act is not anticipated before the 2029 general elections, thus postponing the realization of more equitable representation for women at the national and subnational levels.

With so many constitutional mandates designed to promote gender parity, women involved in Indian politics continue to confront substantial challenges. Deep-seated patriarchal norms and political frameworks often dissuade women from actively contesting elections. A critical barrier is the limited availability of adequate financial backing. Moreover, female political figures are frequently victims of gender-related violence, intimidation tactics, and character defamation.

The issue of "proxy" representation, wherein elected women serve as surrogates for their male counterparts, particularly at the local government level, is gradually diminishing as women acquire greater experience and self-assurance.

The legislative passage of the 33% reservation bill establishes a prospective trajectory for heightened inclusivity within national and state political spheres; nevertheless, immediate progress is demonstrably slow and heavily reliant on prevailing political will and the practical implementation of effective policies.

In India, the integration of women into governance presents a multifaceted picture, showcasing significant participation at the grassroots level alongside a persistent underrepresentation in higher legislative bodies. Although constitutional reforms and strategic policy initiatives are aimed at rectifying this imbalance, advancement within national and state governmental structures remains sluggish.

With the objective of fostering female leadership, the government has initiated capacity-building schemes, notably the "Sashakt Panchayat-Netri Abhiyan," designed to furnish leadership development and augment the decisional competence of women elected to local political offices. Concurrently, data reveals a sustained upward trajectory in female voter

turnout; the 2024 Lok Sabha elections witnessed female participation rates surpassing those of their male counterparts.

### **Women in Justice Systems**

While women's participation in the judiciary has increased, parity remains elusive. In many countries, women account for less than one-third of judges in higher courts. Nonetheless, progress is notable: women now serve as chief justices or constitutional judges in countries such as Canada, India, Kenya, and the United Kingdom (United Nations, 2023). Women's presence in the judiciary contributes to more gender-sensitive rulings, particularly in cases related to gender-based violence and family law (World Bank, 2023).

On a global scale, advancements have been observed regarding the presence of women within judicial systems, most notably at the level of lower courts. However, the proportion of female representation tends to decrease substantially in higher judicial echelons and leadership roles. At the level of lower courts, women frequently account for close to or exceed 50% of the judicial officers.

Conversely, higher courts such as appellate and supreme courts exhibit a marked decline in female representation. Recent data indicates that women typically occupy less than 40% of the positions in Supreme and High Courts worldwide, with an even smaller fraction holding the highest judicial office of Chief Justice or President of the Court.

A persistent impediment is the 'leaky pipeline' phenomenon, wherein women are disproportionately likely to exit the legal profession compared to their male counterparts. This discrepancy is attributable to challenges related to maintaining work-life equilibrium, the influence of unconscious biases, and the scarcity of mentorship opportunities.

Turning to India, the integration of women into the judicial framework remains a subject of continuous deliberation, characterized by a pronounced divergence between lower courts and higher judicial bodies. The Supreme Court of India demonstrates a notably low level of female representation.

As of late 2024, the court comprises only a limited number of female justices, and a female Chief Justice of India has yet to be appointed. Across all High Courts in India, female judges constitute approximately 11-12% of the total judicial personnel. Throughout the nation's history, only a handful of women have served as Chief Justices of High Courts.

In contrast, the subordinate judiciary exhibits a more equitable distribution, with women representing a larger proportion, often surpassing 30% in numerous states. This is partly attributable to the implementation of reservation policies and competitive examinations.

Within the broader legal profession, women constitute a relatively small segment of registered advocates with bar councils, and an even smaller proportion attain the designation of senior advocate or occupy influential positions within bar associations

Policy Recommendations-Enacting Gender Quotas: Employing legally binding quotas and proactive affirmative action measures can expedite progress toward gender equality, as substantiated by Krook (2020). 2. Fostering Capacity: Providing specialized leadership training and mentorship opportunities effectively prepares women to excel in governmental and judicial capacities (World Bank, 2023).3. Combating Gender-Based Violence: Implementing legal

safeguards and robust accountability systems is critical for protecting women's participation in public service (Tripp, 2015).

Reforming Institutional Norms: Encouraging gender-aware legal training and introducing workplace improvements within political and judicial organizations are vital steps.

Leveraging Data and Monitoring: Conducting regular gender assessments and ensuring transparent reporting practices are crucial for enhancing responsibility and oversight (United Nations, 2023).

### Conclusion

The robust engagement of women in governance and judicial systems transcends simple ethical considerations, representing a fundamental requirement for both the consolidation of democratic principles and the advancement of long-term sustainable development initiatives. Concurrent with societal progression, the attainment of gender parity within established power hierarchies serves to bolster public confidence, enhance equitable practices, and reinforce the normative framework of legal governance. Achieving comprehensive equality mandates not only legislative modifications but also a substantive re-evaluation of prevailing societal norms, acknowledging women as autonomous and influential drivers of transformative progress.

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