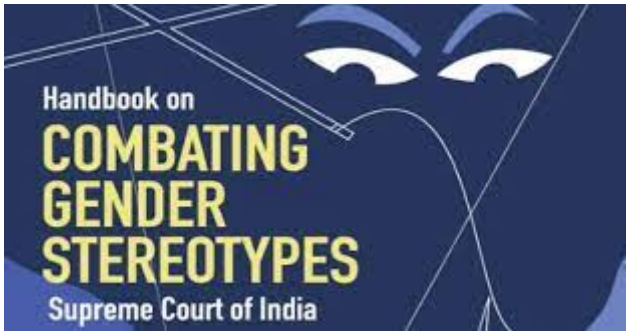
BLOGS

SC Launches Handbook on Combatting Gender Stereotypes

Ruchika Mohapatra · 17 Aug 2023

With the objective to help judges avoid using inappropriate gender terms, the Supreme Court launched a handbook on Wednesday to highlight stereotypes and incorrect terms often used in courts unintentionally.



Terms like ‘chaste women’, ‘Indian wife’, and ‘seductress’ have often been used by judges while giving judgments. These terms have been flagged as gender unjust and alternative words and phrases have been suggested in the handbook.

Per the handbook, judges will now use the term ‘unmarried woman’ instead of ‘spinster’. The term ‘mistress’ will be replaced by the phrase ‘woman with whom a man has has romantic or sexual relations outside marriage’ and the term ‘prostitute’ is to be replaced with the word ‘sex worker’.

Stereotype promoting language (INCORRECT)	Alternative language (PREFERRED)
Adulteress	Woman who has engaged in sexual relations outside of marriage
Affair	Relationship outside of marriage
Bastard	Non-marital child or, a child whose parents were not married
Biological sex / biological male / biological female	Sex assigned at birth
Born a girl / boy	Assigned female / male at birth
Career woman	Woman
Carnal intercourse	Sexual intercourse
Chaste woman	Woman
Child prostitute	Child who has been trafficked
Concubine / keep	Woman with whom a man has had romantic or sexual relations outside of marriage
Dutiful wife / Faithful wife / Good wife / Obedient wife	Wife
Easy virtue (e.g., a woman of easy virtue)	Woman
Effeminate (when used pejorative-ly)	Accurately describe the characteristic using a gender neutral term (e.g., confident or responsible)
Eve teasing	Street sexual harassment
Faggot	Accurately describe the individual's sexual orientation (e.g., homosexual or bisexual)
Fallen woman	Woman
Feminine hygiene products	Menstrual products
Forcible rape	Rape
Harlot	Woman
Hermaphrodite	Intersex
Hooker	Sex worker
Hormonal (to describe a woman's emotional state)	Use a gender neutral term to describe the emotion (e.g., compassionate or enthusiastic)
Housewife	Homemaker
Indian woman / western woman	Woman

[Taken from Insights IAS]

The handbook is inclusive of the terms championed by LGBTQIA+ community and acknowledges that gender identity is not restricted to binary but is spread over a spectrum and can evolve with time.

Releasing the handbook, the Chief Justice of India, CJI Chandrachud spoke about the importance of combatting gender stereotypes in judgements while at the same time clarifying that this was not an attempt to criticize previous judgements but an attempt to neutralize the unintentional use of gender stereotypes in our judgements and legal documents.

Justices Moushumi Bhattacharya of the Calcutta HC and Pratibha Singh of the Delhi HC and Professor Jhuma Sen worked on the draft of the handbook which was both guided and edited by CJI Chandrachud.

CJI Chandrachud also ensured that there were detailed consultations with various domain experts and stakeholders over a period of 2 years. He said that, “It is vital that judges not only avoid relying on stereotypes in their decision making and writing but also they actively challenge as well as dispel harmful stereotypes”.

To download the handbook, click here!