

An Analysis of the Motivation and Experience of Women Advocates in the Legal Profession

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Abstract: *The legal profession is considered to be one of the hardest occupations in contemporary society. Today, every woman is participating in several domains of society. This article explores the factors that drive women to choose a career in the legal profession. This study examines the perspectives of women advocates regarding their decision to pursue a legal profession and the length of time they have been practicing in this field. The present study examines the perceptions of female lawyers about their male counterparts and clients, as well as the attitudes of senior male lawyers towards women. This study examines the motivation and position of women in the legal profession, specifically focusing on government facilities for women lawyers and security measures for women. This study utilizes empirical data obtained from a sample of 302 women lawyers who are currently practicing in Hubli-Dharwad district.*

Keywords: Legal profession, women advocates, motivation, male lawyers, legal practices

I. INTRODUCTION

The legal profession has always been associated with masculinity within traditional societies. Due to this factor, the representation of women in this particular occupation has been constrained thus far. Over time, there has been a significant improvement in the social and economic standing of Indian women following their independence. Nevertheless, their current state remains unsatisfactory. There is a growing realization at both national and international levels of the importance of giving women a specific place and assisting them in receiving proper credit for their abilities.

In both western countries and India, there has been a notable growth in the number of women graduating from law colleges and engaging in the practice of law during the previous 2-3 decades. Women advocates demonstrate a commitment to embracing feminine principles, such as compassion, maintaining relationships, and employing empathetic ways in the profession of law. In contrast, the profession is inherently infused with elements commonly associated with masculinity, such as objectivity, fairness, individual rights, and adversarial tactics. It has been suggested by theorists that women will prioritize substantive justice for everyone over procedural fairness. This study examines the problem, opportunities, and motivation experiences of women advocates in the legal profession within the given setting.

Objectives:

The objective of this study is

- To assess and explore the level of assistance provided by family members, legal institutions, government entities, and other relevant bodies.
- To ascertain the distinct challenges faced by female lawyers within the legal profession.
- To identify women lawyers who are experiencing a lack of opportunities in the field of criminal law.

Hypotheses:

There is no difference among family members, relatives, friends, colleagues and others to pursue legal studies.

There is no significant difference among the clients to approach the women lawyers.

There is no significant difference among for equal justice in legal profession.

II. METHODOLOGY

Field and the universe:

Currently, the city has a population of 902,700. The district of Dharwad is home to the High Court, District Court, and Civil Court. It is easily reachable for anyone residing in the northern region of the state. There are a total of 2168 advocates employed by the cities, consisting of 307 female practitioners and 1868 male practitioners. The primary emphasis of the study pertains to. This pertains specifically to women in the legal profession, both married and unmarried. The total number of lawyers in the courts of Hubli-Dharwad city was 1267 in 2009, 2010, and 2011, with 302 of them being women lawyers.

Tools and techniques for Gathering Data:

The research universe consisted of all the female advocates in Hubli-Dharwad city. Therefore, no samples were selected in this study. The primary method employed for data collection was the utilization of a questionnaire technique. The interview schedule was not structured in a formal manner. Instead, the researcher conducted general conversations at the courts, residences, and offices of the respondents in Dharwad and Hubli city. Additionally, the observation method was employed to gather the necessary information. The current study relies on primary and secondary data as its main sources. In this study, the researcher chose a total of 302 female lawyers as respondents. The researcher collected information directly from the respondents using the questionnaire technique. The study collected secondary data from many libraries, including the Karnatak University library, ISES Bangalore, CMDR Library, Court Library Dharwad, and Karnatak Law University Library Dharwad. Data was gathered from many sources including Census Reports, Government Reports, District Statistical Office, publications such as books and journals, gazetteers, articles, and magazines. The data underwent analysis and interpretation using a straightforward statistical procedure.

Motivation to Engage in Legal Studies

The motivation to pursue legal education is derived from those who are extremely close to me. The decision about one's work life is primarily influenced by family members. In communal life, the family is widely recognized as a significant social organization that exerts a profound influence on individuals' decision-making processes. Therefore, it is evident that a significant proportion of the 206 female respondents, constituting 68 percent of the entire sample, said that their family members provided encouragement for their pursuit of legal education. Relatives provide as an additional source of motivation for women in the family who rely heavily on their family and relatives for social and economic support, surpassing the influence of external individuals. Therefore, a significant proportion of 41 female advocates, accounting for 14% of the respondents, reported that their families provided encouragement for them to pursue a career in law.

A total of 22 women advocates (7%) have received encouragement from their friends to pursue legal studies, whilst 4 respondent women advocates (1%) have received encouragement from their coworkers. 29 responding women advocates were motivated by other individuals to seek legal studies.

The decision to pursue professional courses is contingent upon one's motivations. In addition to intrinsic drive, external factors also play a significant role in shaping individuals' choices of professional courses. The findings of the study indicate that the primary impetus for engaging in legal studies stemmed from familial influences. The respondent advocates have also been motivated by their relatives to pursue legal studies to a significant degree. In the case of a few respondents, friends, coworkers, and others were also responsible for pursuing the career. Table 1a and Table 1b present the pertinent information.

Table 1a: Motivation for Engaging in Legal Studies

Age Yrs	Family Members		Relatives		Friends		Colleagues		Others	
		%		%		%		%		%
25-30	87	42	10	24	08	36	0	0	07	24
31-35	33	16	08	20	01	05	0	0	03	10

Yrs										
36-40	28	14	10	24	07	32	0	0	08	28
Yrs										
40-45	58	28	13	32	06	27	4	100	11	38
Yrs										
Total	206		41		22		04		29	

Table 1b: Overall Motivation to Engage in Legal Studies

	Respondents	%
Family Members	206	68
Relatives	41	14
Friends	22	07
Colleagues	04	01
Others	29	10
Total	302	100

Women Lawyers Getting Equal Justice in Legal Profession

Gender discrimination has been prevalent in the Indian social system, affecting women lawyers in numerous aspects such as family affairs, profession, earnings, political rights, and legal rights. The time following independence has been marked by a robust effort to combat this societal problem, both within the government and non-governmental sectors. Numerous legal and constitutional measures have been implemented to address this morally questionable approach inside our society. Despite the existence of numerous legislative laws against gender discrimination, a prejudiced attitude towards women remains widespread in various domains of society.

The study has primarily concentrated on this particular issue, and data has been collected from women advocates who work for equal justice for women in the legal profession.

The findings of the study indicate that a significant majority of 223 female advocates, accounting for 74% of the sample, expressed that women lawyers are experiencing equitable treatment within the legal profession. Nevertheless, a significant proportion of 79 female advocates, constituting 26% of the respondents, expressed concerns regarding the lack of equitable access to justice for women lawyers within the legal profession. The observed tendency is indeed disheartening and serves as evidence of the enduring presence of gender-based prejudice inside our societal framework. Women lawyers are entitled to the same rights and privileges as their male counterparts in the legal profession. The potential connections could pertain to their legal appointments, assignments, promotions, and other connected matters. If women lawyers encounter any unfair treatment, they have the legal right to challenge such behavior. Nevertheless, there may be instances of dishonesty, as suggested by a small number of female lawyers who responded. Table 2 presents the pertinent information.

Table 2: Ensuring Equal Justice for Women Lawyers in the Legal Profession

Years of Profession	Yes	%	No	%	Total
1-4 Yrs	123	55	20	25	143
5-15 Yrs	67	30	48	61	115
16+ Yrs	33	15	11	14	044
Total	223	100	79	100	302

Women lawyers are experiencing a lack of opportunities in the field of criminal law.

There is a prevailing belief that female lawyers are falling behind.

The majority of 185 respondent women advocates (61%) do not accept opportunities in the criminal law sphere of legal practice. Nevertheless, a substantial cohort of 117 female advocates have expressed the belief that women lawyers did indeed fall behind in that particular domain. Women advocates' comments are categorized according to their level of legal practice. The subsequent table presents the pertinent information.

The management of criminal cases necessitates a rigorous and stringent attitude, which is generally deemed unsuitable for women within our societal framework. The abrupt shift from a submissive and acquiescent familial environment poses challenges for women in effectively handling criminal matters. Nevertheless, the comments provided by female lawyers suggest that they did not exhibit a delay in their ability to handle criminal matters. This demonstrates a shift in the conventional perspective of women upon entering the legal profession. Table 3 presents the pertinent information.

Table 3: The Underrepresentation of Women Lawyers in Criminal Cases within Legal Practises

Practicing	Yes	%	No	%	Total
High Court	7	6	05	3	12
District Court	10	9	35	19	45
Lower Court	52	44	55	30	106
H-D, H-L, D-L	27	23	62	34	89
All Above	22	19	28	15	50
Total	117		185		302

The Preference of Clients for Male Lawyers

The women advocates' replies on the subject of clients' preferences for male lawyers to deliver their cases are polarized. A significant proportion of the 153 female advocates who participated in the survey (50.66%) expressed the belief that clients tend to favor male lawyers when it comes to representing their causes in legal proceedings. This perspective was dismissed by a nearly equivalent proportion of 149 female advocates who responded to the survey (49.34%). The age-based replies of female campaigners.

The preference of clients for male lawyers is evident, as it is widely considered that male lawyers possess greater exposure to the legal profession compared to their female counterparts. This prevailing notion prompts female lawyers to exert significant effort in substantiating their legal expertise. Nevertheless, this long-standing impression is undergoing a slow transformation in the current context. This is seen in the stark divergence of viewpoints among the female lawyers who responded. Table 4 presents the pertinent information.

Table 4 displays the clients' inclination towards male lawyers.

Education	Yes	%	No	%	Total
B.A., LL.B	77	50	83	56	160
B.Sc, LL.B.	14	09	20	13	34
B.Com, LL.B.	46	30	35	23	81
LL.B, LL.M.	11	07	3	03	14
Ph.D and Others	5	04	8	05	13
Total	153		149		302

III. FINDINGS

When selecting a professional job, it is important to have encouragement and inspiration. A significant number of women advocates (68%) were influenced to pursue a legal profession by their family members. Relatives (14%), friends (7%), colleagues (1%), and others (10%) provided encouragement to a limited number of female advocates to pursue a career in the legal profession.

The responses indicate a clear inclination towards giving encouragement. The field of law has predominantly emerged from internal sources(Relatives) in contrast to external sources such as friends, etc.

The majority of female advocates surveyed (74%) believed that women lawyers have achieved justice in the legal profession, whereas a smaller percentage (26%) disagreed with this overwhelming opinion. The legal rules and administration of justice provide equitable treatment for both male and female lawyers.

Gender inequality has resulted in the inequitable dispensation of justice to female lawyers, as perceived by those who believe that women lawyers are not afforded equal justice. Legal principles in any secular and democratic democracy cannot justify this stance.

A majority of women lawyers, specifically 61%, believe that a delay in progress hinders their ability to seize possibilities in the criminal law sphere of legal practice.

The majority of the 153 female advocates who participated in the survey expressed the belief that clients exhibited a preference for male lawyers when it came to representing their claims in court of law.

IV. CONCLUSION

This study provides an overview of the characteristics of the legal profession, as well as an examination of women's performance and skills within this field. Furthermore, the limitations and challenges encountered by women were examined. The essay revealed that although specific challenges arising from women's com- Despite the prevailing negative perceptions of women in the legal profession as a primarily female occupation and the limitations imposed on women's participation in judicial and related roles, there has been a noticeable increase in the representation of women in legal practice.

Women in the legal profession are currently seeking new opportunities to achieve personal satisfaction. Individuals aspire to demonstrate their competencies and strive to establish equilibrium among their familial obligations, personal duties, and occupational pursuits. Female lawyers frequently develop a strong administrative aptitude, including proficiency in decision-making, computing skills, delegation abilities, organizational skills, and technical expertise. Women lawyers have a far higher likelihood of achieving success compared to their male counterparts. The absence of these fundamental qualities, coupled with the possession of these limited qualities, confers a distinct advantage to certain women in their pursuit of becoming proficient women lawyers. The growth of the legal profession is a topic of significant importance and is expected to remain a prominent subject of debate in the future. The resolution of resistance to change can be achieved by actively engaging individuals in the process. The solution can be found in cultivating a sense of professionalism among individuals.

REFERENCES

- [1]. (A K Koul, V K Ahuja ,Jan 22-25 1995) : "Legal Education In India In 21st Century" Problems and Prospects". Published by All India Law Teach- ers Congress Faculty of Law University of Delhi 110007 (1999)
- [2]. (A Kumar,2006) "Indian Women, Status and Contemporary Social Issues."
- [3]. (Anand's ,1987) "Professional Ethics Of The Bar". Published by L R Bagga for the Law Book Company (p) Ltd. For the law Book Company (p) Ltd, Allahabad.
- [4]. (Beena Shah,2002): "Women Higher Education And Empowerment (Challenges and Prospects) Published by Yogendra Kumar Jain for Y. K. Publishers, Agra 282002 (UP) India.
- [5]. Benfine (1992) : "Women's Employment And The Capitalist Family," Published by Routledge, 11 New Fetter Lane, London, EC4P 4EE.
- [6]. (Charulatha Mitra ,2003) "Women's Development Goals, Reshaping Globalization" Published by Authors press.
- [7]. (Dhingra O.P ,1972) Women in Employment Report of Field Investigation Into the Problems of Professionally Trained Employed Women in India, New Delhi. | Journals 8. Blau P.M J W Gastad et al. Occupational Choice : A Conceptual Framework, Industrial and labour, Review, Vol-9, No. 4, pp. 531-43.
- [8]. Hall, John and D.C. Jones : Social Grading of Occupation, British Journal of Sociology, Vol-1, No-1, March, 2000
- [9]. Heckman, Norma. A. et al., : Problems of Professional Couples : A Content Analysis Journal of Marriage and the Family, Vol-XXXIX, pp.323-330. 2016
- [10]. Khale que and S. Afreen Jahan : Job satisfaction, Mental Health and Life Descrip- tions of Working Women, Indian Journal of Industrial Relations, Vol-21, No.4, 2018.