

# Study on Women in Legal Education with Socio-Legal Perspective with Reference to National Law Universities in India

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**Abstract:** *Despite initial struggles, women now have a strong presence in the legal profession. To achieve this progress, legal education development is essential. The conversation surrounding legal education in India has shifted due to national law universities. With the goal of making the National Law School the "Harvard of the East" and revolutionizing legal education, Prof. Madhava Menon founded the institution. The writers of this paper attempted to investigate women who hold academic positions in national law universities.*

*The necessity of researching women in legal academia is covered in the research paper in the first section. The study's second section examines women who hold senior managerial positions as registrars and vice-chancellors. It also draws attention to the proportion of women appointed as associate and full-time professors. The writers contend that there exists an imbalance in the representation of women in national law universities. The final section of this essay explores the various obstacles that women in academia must overcome. It goes into more detail on the stereotypes that obstruct women's job advancement and suggests some solutions.*

**Keywords:** Legal education, academy, law, women, gender studies

## I. INTRODUCTION

"Where women are devalued and lead miserable lives, there is no hope for the family or the nation. They must therefore be raised initially. –Swami Vivekananda

To say that there has always been inequality and discrimination against women in the workplace would be an understatement. Although discussions and publications concerning women's empowerment are not new in India or the rest of the globe, not much is known about the representation of women in Indian legal academia. Women had to struggle to find a place in the legal field, and over time, conditions at the bar and bench, in law schools and firms, have significantly improved. There will always be those who argue that, rather than concentrating on raising academic standards, we should examine the development of legal scholars from a gender perspective. The stakeholders in legal education must work diligently to implement institutional, policy, and pedagogical improvements that will support gender mainstreaming. The necessity of researching women in legal academia is covered in the research paper in the first section. The position of women in legal academia at national law universities will be attempted to be discussed in the second section of the article. The various struggles faced by women in academia are covered in the third section of this paper. This essay makes the case that women are underrepresented in legal academia at national law school and suggests some solutions.

According to Farley, women "face insurmountable barriers in the academic legal field." Several studies have demonstrated that men and women hold different standards of competence, and that when the identical task is attributed to a woman rather than a man, it is evaluated more harshly. It is impossible to dispute the absence of these stereotypes in the legal academic community. Since stereotypes are frequently extremely subtle, it will need deliberate research to expose them to the public.

**REQUIREMENT TO STUDY LEGAL ACADEMICS FOR WOMEN**

The importance of legal education is dynamic and the field of legal education is changing, this calls for a thorough development that addresses representation from all social groups, sexes, races, and religions in addition to enhancing the curriculum, instruments, and manner of instruction. Universities as an institution can also be examined to determine whether any practices have inadvertently crept in and started to prejudice people based on their caste, sex, religion, or other characteristics. Research on several fronts must be undertaken in order to determine the extent to which national law universities are devoid of these vices.

The nature and operation of the institution, as well as its prejudices and vices, will be revealed by examining the issue of women in legal academia. Until studies are conducted to better understand women in academia, none of these are recognized or given any attention. The fact that the research will further knowledge of the nature of the institution as well as the field of law is a significant additional justification for its conduct. In his work, Robert Steinbuch references Farley's publications in which she makes the case that the law is biased toward men. "Law is professional, imposing, demanding, objective, logical, dispassionate, and professional. Women are characterized as having none of these attributes.

Because of this, bias towards one gender is more common in institutional settings where the structure, the people holding positions of authority, and the rules are more strongly associated with masculinity. In their work, Margaret Thornton and Weiping Wang contend that the rule of men replaces the rule of law. Women find it challenging to enter universities due to the "bureaucratization" of their appointments and the predominance of men at nearly all levels. Whether on purpose or accidentally, university structures offer strength to the systems and sustain them so they can keep operating in the same way. Since the study of law is the main focus of national law universities, any association between the field and masculinity could contribute to the emergence of unconscious bias within the institution.

Universities recognize the inherent biases and vices in the system and take proactive steps to reform it, which results in deliberate efforts that transform the system. The system cannot improve if its flaws—which favor men over women and are intrinsically detrimental to them—are not actively acknowledged. An initial step towards this goal is the study of women in legal academia. We won't be able to analyze the system's prejudice until we investigate women in legal academia and can identify the situation.

**APPLICATION OF STATISTICS**

When evaluating things that adjectives and adverbs cannot, numbers might be helpful. The most current data on the gender distribution of vice-chancellors and registrars at national law universities is presented in this publication. The research methodology involved gathering publicly available data by visiting university websites and gathering relevant information. The same methodology was also employed to document the proportion of female professors and associate professors. The authors' research has solely looked at female professors and associate professors. The author acknowledges the limits and the possibility of human error arising from the data gathering process, given that the data was gathered by means of observing the information provided by faculties on the website.

Table 1. Number of Female and Male Associate Professors in National Law Universities (as on the University's website on 12th May 2023)

S. No.	Name of the University	No. of Female Associate Professors	No. of Male Associate Professors	Total No. of Associate Professors
1	National Law School of India University, Bangalore	5	3	8
2	Rajiv Gandhi National Law University, Patiala	5	1	6
3	National Academy for Legal Studies and Research, Hyderabad	4	3	7
4	National Law University, Delhi	3	6	9
5	National Law University, Jodhpur	3	1	4
6	Damodaram Sanjivayya National Law University, Vishakhapatnam	2		3

7	Dr.RamManoharLohiaNationalLawUniversity, Lucknow	2	4	6
8	NationalLawUniversityAssam	2	3	5
9	National University of Study andResearch inLaw,Ranchi	2	2	4
10	Gujarat National Law University,Gandhinagar	1	5	6
11	Hidayatullah National Law University,Raipur	1	6	7
12	Himachal Pradesh National LawUniversity, Shimla	1	3	4
13	Maharashtra National Law UniversityAurangabad	1	1	2
14	Maharashtra National Law UniversityMumbai	1	0	1
15	Maharashtra National Law UniversityNagpur	1	2	3
16	NationalLawUniversityOdisha,Cuttak	1	1	2
17	National University of Advanced LegalStudies,Kochi	1	2	3
18	West Bengal National University ofJuridicalScience,Kolkata	1	6	7
19	ChanakyaNationalLawUniversity,Patna	0	2	2
20	Dharmashastra National Law University,Jabalpur	0	1	1
21	Dr. B. R. Ambedkar National LawUniversity, Sonipat	0	0	0
22	Tamil Nadu National Law University,Trichy	0	1	1
23	NationalLawInstituteUniversity,Bhopal	-	-	-
	<b>Total</b>	<b>37</b>	<b>54</b>	<b>91</b>

Table 1 demonstrates the number of female and male Associate Professors in the National Law Universities. The significant disparity between the percentage of women who hold associate professors and those who have professorial positions has to be highlighted. In national law universities, just 40.65% of associate professors are females, and the discrepancy widens to 25.96% for associate professors. This indicates that while females still make up a bigger share of associate professors, they are getting appointed as professors far less frequently. The percentage of men appointed as professors is higher than the percentage of men appointed as associate professors in the National Law Universities.

### **FIGHTING THE ODD**

The small percentage of women achieving leadership roles demonstrates that women at national law school are the exception rather than the rule, with few of them having overcome great obstacles to climb the ladder. In support of this claim, Swethaa says in her thesis that "women had to fight to make them heard." While each woman has her unique issues, as a class, women have to deal with comparable issues when trying to carve out a space for themselves and be heard inside the organization.

Because "babies matter," according to Mary Ann Mason's piece, many women start climbing the Ivory Tower but never make it to the summit to become deans and professors. A woman must make the difficult decision to choose between having a successful profession and becoming a mother, according to Priyanka Chauhan. It frequently occurs when women are beginning to establish themselves in their careers and are forced to choose between the two. This causes people to give up on their job path, which impedes their ability to advance within an institution. Even with provisions for maternity and child leave under the Maternity Benefits Act of 1961 and the University Grants Commission regulations of 201020, many women academicians find that becoming mothers prevents them from pursuing their careers in the same way. Many women have trouble getting back into the workforce after a hiatus. In institutions, women who have just returned from maternity leave are viewed as less productive. According to McGinley, raising the child and staying put is perceived as her "choice" and "nature," which is why it is considered the "motherhood penalty." Women legal scholars face additional obstacles due to the gender roles that are established in society. It is expected of women to abandon their jobs or remain at home to care for the "breadwinners" of the household. While the husband is

supposed to work hard and succeed in his career, women are expected to take care of the home and raise submissive children. Both genders are impacted by this stereotype, but women are more hard hit since they are expected to put family before career.

This does not imply that women cannot overcome the obstacles. The stakeholders' goals, intentions, and motivations will bring about the transformation. Not only does the structure of these institutions need to alter, but also the way the institution operates. To get beyond these obstacles, women must be inspired. As a "preponderance of men in the decision-making process may perpetuate the existing gender imbalance in appointments and make more difficult curriculum changes which address gender issues," Kathy Mack suggests that there should be at least 30% representation of women in the important committees that are formed by the institution. Women will be more likely to work in administrative and executive positions if they are represented in significant governing organizations such as the General Council, Executive Council, Standing Committee, and Academic Council. The more women participate in these bodies, the more women may be appointed to positions of leadership where their concerns and perspectives will be heard, improving the institution's inclusivity and closing the gender gap.

Making pedagogical changes and teaching feminist jurisprudence and gender to students in all streams will help ensure that women are equally represented in law schools. This will help students begin to analyze situations critically and recognize the importance of women's representation in all spheres of society. It's not that feminist jurisprudence isn't taught in law schools; it's just that very few students choose to take these courses, which are typically offered as optional constitutional law courses or as part of gender studies.

## II. CONCLUSION

Legal schools have numerous obstacles in the swiftly evolving global landscape. Universities face many challenges, some of which include competition, funding scarcity, increasing research components, quality education, better compensation, and advancing into collaborations. Adding another dimension to the representation of women in academia may seem like a lofty goal or an additional strain on the institution. On the other hand, the inclusion of a feminist dimension will improve the quality of life at law schools for all parties involved—staff, faculty, administration, and students. The institution will become gender-friendly, which will ensure social and economic equity, opening up chances for women to be hired and promoted inside the organization.

In institutions, women must be encouraged and supported. In order to help them plan their career and life in a way that minimizes obstacles and makes it easier for them to advance in their careers and climb the ladder, workshops should be held where they can learn about the various policies of the government and the institutions regarding maternity and child care leaves as well as other benefits available to them. The organization's structure and the public's perception of the law can both be altered with increased participation from women. In order to give voice to their concerns and issues, women's contributions to academic writing must also increase. The gender gap in academia will shrink as more women are recruited and given better opportunities. Students and even classmates will benefit from instructional innovations that involve teaching gender more broadly and providing feminist jurisprudence for critique. The first step will be to admit that there is a gender gap in legal academics. This will be followed by proactive efforts to create policies that provide women with better opportunities and resources so they can overcome the challenges and stereotypes that are present in society at large. Similar to the adage "Rome was not built in a day," it will take time for these developments to impact the general situation of legal scholars, but they do provide hope for a brighter future for everybody.

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