

## Research Paper

**A Sociological Study of Women Lawyers in Gulbarga District****Dr. (Mrs). Shanta. Astige**Associate Professor  
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GULBARGA: 585 105  
Karnataka**ABSTRACT**

*The globalization and especially technological transformation opened the door for the women new opportunities towards their work life. Now, women occupied in all the occupations and professions, which were occupied by men earlier. Hence, the women engaged as successful professionals as Medical Practitioners, Nurses, Teachers, Lawyers, Bankers, Lecturers, Librarians, Information Technologists, Engineers, etc. But, the women are not like men.*

Earlier there were the responsibility that the men have to lead the family and work outside for earning and women have to look after the household work. But now, the women also working outside like men and looking after the household work. In this way, now-a-days, women are playing a dual role in her office work and house work. Therefore there is need to study the role and status of working women by studying her socio-economic life, political life, education, professional life, life in work place, religious life, etc. Further, in many places, the working women face discrimination against male employees.

In both villages and cities there has been a remarkable increase in the number of women going out of the four walls of the household and becoming workers. In the employment market they are giving tough competition on the men folk. In some fields, the number of women employees is steadily increasing. For example, women working as teachers, college professors, doctors, nurses, advocates, judges, managers, administrators, police officers, bank employees, clerks, typists, telephone operators, receptionists, personal assistants and so on are to be found in almost all major cities. In big cities, women do not hesitate to work as bus conductors and drivers, police constables, auto rickshaw drivers and so on. Since 1991, they have been getting recruited into armed force, air force and naval force also. In urban areas, women white-collar workers are on the increase since 1970.

Employment has given women economic independence and the feeling of importance. They now feel that they can stand on their own legs and look after the entire family by themselves. This has boosted their self-pride and self-confidence.

In order to give protection to the economic interests and rights of the women folk the government has undertaken various economic legislations which cover areas such as right to property or inheritance, equal wages, working conditions, maternity benefits and job security.

The globalization becomes a boon also in development of the status of women. The process of urbanization mostly affected the status of urban women. In the urban areas, the status of women may be examined at three levels, i.e., rich women, middle class women and poor women. The rich and the poor have always had a lifestyle of

their own. The rich women who are educated and westernized are in an insignificant minority. They normally prefer to live in decent areas and lead a posh life. The poor class women lead a lower-class life in labour colonies, slums, indecent localities, densely populated areas, and so on. Their life is no better than the poor women of the rural areas.

A spectacular change has taken place in the status of urban middle – class women. Urban educated middle class women are hankering after jobs now. Soon after their education, not marriage but job becomes their priority. For the sake of job they are prepared to postpone their marriage. Delayed marriages are becoming common among them. Girl's education and her employment or employability has become the main criteria for selecting her as a life- partner. This is an age of earning couples. The girls have taken up this challenge.

The urban middle class women are not in support of a joint family. They prefer nuclear families. This has affected the way of bringing up of children. Old values are giving place to the modern values of equality, individualism and rationality. Though males are yet to share the routine tasks of domestic life, they have realized that they do not hold a dominating position in the family. Modern urban middle class women have greater privacy, more opportunities, better freedom and equal rights. They have broken away from many bondages and unfairly restrictive practices.

The Indian constitution has sanctioned to women two important political rights; female enfranchisement and eligibility for the legislature. As early as in 1937 itself, some women candidates had contested for elections to the local legislative bodies and own. After the independence, the number of women voters and women representatives in assemblies and parliament has increased sufficiently. Women have developed sufficient political awareness and some of them have attained very high positions in political parties, legislatures and cabinets. There are instances that some ministerial portfolios being headed by women. The nation witnessed in Smt. Indira Gandhi, its most powerful prime minister who gave her leadership to the country for more than a decade. In most of the states, 1/3 of the representation is reserved for women candidates in the local bodies such as municipalities and panchayats, etc. It may be noted that political awareness is present more among the city

women than among the rural women among the middle and upper class women than among the lower class women (Shankar Rao, 2006).

Now, majority of women are happy with their family life and do not cherish any ambition relating to the political and public life. Those earning women members also do not have the full freedom to spend their money in accordance with their own will and wish. Most of the women do not prefer to take decision. Thus, women in present days are not completely free from the circle of the tradition. In the unorganized sector, exploitation of women continues, for they are illiterate, ignorant and unorganized. In most of the homes, male-children are still being preferred to female children. It appears that the societal approach towards women, their role and status has not radically changed. Hence, bringing about more and more legislations to ensure better opportunities to grant more rights and concessions is of no benefit unless there is a basic change in the people's attitude towards women and women's role in society. There is need to study working professional women, so as to know different aspects of their life. Hence, the present selected law profession as a focus of the study, to assess the sociological role of the women along with their work life.

#### **Socio-economic Study of Women Lawyers: A Case Study of Gulbarga City**

The entry of women in to the legal profession relates back to 18th Century. The legal history shows that in the United States Myra Brandwell fought her case right up to supreme Court and lost in 1872, but latter in 1950, the first woman was admitted to Harvard Law School, after a prolonged social, political and legal struggle, extending over a period of 80 years. Women in England also successfully fought their way out and compelled the Government to amend the laws and permit the entry of woman in the profession of law in terms of equality with their male counterparts. In India, however, such a sensitive controversy was resolved much earlier by the United Provinces Act, which ordained that women could be enrolled as legal practitioners and could not be debarred from practice of law merely because of their sex. It may be stated that by enactment of the sex Disqualification (Removal) Act, 1919 Indian Women were denied this right until the High Court of Allahabad took the lead and allowed the application of Miss. Cornalia Sorabji to practice law by its epoch making judgment of August 1921. She was the first woman to have enrolled as an advocate in India (Mane, 2007).

The Indian Constitution has ensured equal status to not only men and men, women and women, but also between men and women (Articles 14 and 16 of the Constitution of India). The equality clause expressly prohibits discrimination on the basis of race, religion, caste, sex and place of birth and guarantees equality before the law and equal protection of laws irrespective of race, religion, caste, sex, etc. Keeping in view the aforesaid aspect and the protective discrimination in Indian Constitution, there can be no discrimination in general on the ground of sex, but special laws can be made in favour of women and children. The reason is that woman's physical structure and the performance of maternal functions places her to a disadvantage in the struggle for subsistence and her physical well being becomes an object of public interest and care in order to preserve the strength and vigor of the race. This aspect assumes importance while discussing the women law professionals and their status.

Women are always considered as a symbol of sincerity, efficiency, tolerance, patience, rationality, in spite of her

success and satisfaction at the Bar Council is always controversial. In spite she has the identity of an advocate as her brother advocate has; the latter identity is more appreciated even though both these segments of the Bar plead at time. This bifurcation of the bar is insignificant for the purpose of over all progress. It needs to be impressed upon the woman, that to begin well is great to win the minds of all which is an accomplishment.

But at the same time it was observed during the field work conducted by Ms. Archana Dabir, Advocate that since legal profession assumed character of keenly competitive trade in which professional efficiency stands second, the women lawyers find it difficult to acquire professional work. Although sex wise distribution of different categories by legal professionals in India clearly indicates a complete male dominance at all levels records a gradual increase of women's entry as lawyer at Bar and this is to be welcomed. A woman cannot be as daring and outgoing as a man. Cultural limitations, such as segregation of sexes, the early socialism effects on appropriate sex role behaviour and attitude, make them unable to adopt such practices. But levels of competence vary from person to person. In spite of all obstacles in the field some women lawyers have a reasonably high reputation in various aspects of practice, such as dealing with clients, drafting, pleadings and presentation in the Court. They also get work independently, especially when work comes on basis of reputation and standing at the bar. The rest are those who cannot boast of such accomplishments as they stick to their patron seniors and hand over the work to be done. Experiences show that women lawyer could deal with matters effectively. They have more avenues to excel and to undertake not only legal literacy but to train Para legal volunteers and legal awareness programmes to know their rights and assertion thereof. If we consider closely the role of lawyers in society, women lawyers will help the development of society, especially weaker section, so as to wash their every tear for every eye of women folk who are illiterate, poor, down-trodden and victims of tortures in various kinds. Therefore, the women's place at the legal profession has a distinct role in the society and even the women are equally competent to serve the nation, while practicing the law.

Women in judiciary can play an important role in sensitizing the judicial system towards gender issues. As the incidence of crimes against women is increasing, there is need to strengthen the judicial system by appointing more women judges to deal with issues relating to women and the family. As more and more cases of disputes within the family are arising, Family Courts were set up in 1984. The purpose and aim of establishing Family Courts is to protect and preserve the institution of marriage and to promote the welfare of children and provide for settlement of disputes by conciliation. Every State Government, after consultation with the High Court, establishes in every area in the state, a Family Court. One or more judges head it and preference is given to women judges.

India's Supreme Court has set up special courts to deal with rape cases that will be judged by female judges. The Court has asked that all courts show more responsibility and sensitivity while dealing with sexual assault cases. The female judges will also deal with cases of sexual harassment and dowry-related offences in India.

Although there is no discrimination against women in

the judicial system in India, there are not very many women in the higher echelons of the judiciary. In 2003, there were 17 women judges out of a total of 514 judges in the Supreme Court and High Courts in India (National Resource Centre for Women, 2007).

Some of the well known women judges in India are Justice K. K. Usha, Justice [Fathima Beevi](#), Justice [Sujata Vasant Manohar](#), Justice Sunanda Bhandare, Justice Leila Seth, and others. In 1975, Justice K. K. Usha represented India, in the 18th International Convention of International Federation of Women Lawyers at Hamburg. She represented India at the Joint Seminar on "Convention on the Elimination of all Forms of Discrimination as Regards Women" organised by International Federation of Women Lawyers and International Federation of Women of Legal Careers (both organizations having the status of non-governmental organizations under the auspices of U.N.O.)

Honourable Justice Smt. Sujata Vasant Manohar was the first lady to be elevated as a Judge on the bench of Bombay High Court. She was invited as one of the five women judges from all over the world to constitute a tribunal for recording evidence and giving findings at the World Women's Congress for a Healthy Planet which was held at Miami, U.S.A. in November 1991 for formulating Women's Action Agenda.

Justice Leila Seth was the Chief Justice of Himachal High Court, and Justice Fathima Beevi was Judge of Kerala High Court. She was the first woman to be appointed as a Judge of the Supreme Court of India in 1989.

With all the dynamics of women in legal profession, there is need to know about the role and status of women law professionals. Hence, the present study attempts to study the women law professionals practicing in courts of Gulbarga city.

#### **Aims and Objectives:**

The present study was made:

1. To assess the sociological background of the women lawyers;
2. To look into whether women lawyers have gained equality in the family and society; and
3. To study the socio-economic status of women lawyers.

#### **Scope and Methodology:**

It is estimated that about 250 women lawyers are practicing in Gulbarga city, the present sociological study conducted survey of 145 women lawyers. Of the 145 Questionnaires distributed among women lawyers, about 133 women lawyers responded to the study. Hence, the scope of the study is only 133 women lawyers.

#### **Findings and Conclusion:**

The findings revealed that majority of the women lawyers believe in joint family. One of the worth noting point is here that majority of the women lawyers agree that the women get status and respect, if she works outside the home. It is also noted from the study that majority of the married women lawyers are satisfied with their social as well as professional life. It is worth to note that in families, to a major extent the women lawyers along with their husbands,

makes decisions of the family. It is highlighted that there is equal partnership and mutual relationship is there between married women lawyers and their husbands. But majority of the women lawyers agreed that the time spent outside the family, will adversely affects the family members and personal life of these professionals. It is surprising to note that even though both men and women lawyers are equally qualified, there is wage discrimination. In other words, the women lawyers get less compared to men lawyers in law. There is need to control such discrimination.

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