Chapter-III

Research Methodology

3.1 Introduction

Social inequalities and disabilities apart the laws framed by the state itself fail in many a case to ensure equal treatment of women with their men counterparts. Not only that, law of the land also winks over the inequalities that are existent between one set of women and another set of women in the same country.

- Goswami U.S.1993

The present study focuses on the socio legal phenomenon of women for a effective “law of women”. The recent news, reports of landmark judgments by the Supreme court in an era of scams and scandals underscores the positive role, legislative can play in the empowerment of citizens in general and women in particular. The law can play a positive role, where there is codified law for women for the process of implementations and enforcements so as to enrich women in the society through codified law. Codified law of women will access to the legal process is an important tool for justice to be effective and viable.
This country celebrate its golden jubilee of independence, it has engraved the legal reality and reality of Indian situations. In the present age of politics, as is being witnessed today, one finds that there is a tug of war as regards women’s issues, be it the reservation bill for women, uniform civil code, sexual harassment and violence against women, obscenity in the electronic audio-visual medium etc. Today we find one illusionary scenario of acrimony, dissert and open hostility and a civil tug between the profounder of women’s concerns.

Daily news, television serials cine media, televisions discussions are highlighting the ongoing gender division at various levels. One can see the increasing visibility of women in various spheres of human activity and issues that deserves welcome change, popular opinion and acceptance of these changes with regard to women, even then women society is depriving is development. Although there is a plethora of legislation for women, there is a vast gap between what is documented and its reality of reach towards women. On the other hand some laws drafted in last century.

The social behavior and attitude of people both men and women even in the legal profession have changed to some extent only despite of education and material advancement. Apathy and indifference towards law in general and women in particular have not changed in its most basic level-as seen in the socialization of gender roles and behaviour, which ultimately shapes opinions, beliefs and attitudes. This is reflected in higher rate of female mortality, lower literacy in the female population figures, steady increase in various forms of violence against women etc. several status of women studies over the past few decades echo the ongoing rhetoric of continuing gender disparities and discrimination against women, despite various governmental piece meal efforts at redressing etc., inequities.
Laws cannot operate in vacuum. As a mass instrument i.e., for the people law framers need to modify or change the aspects of various outlasted laws which neglected some of basic legal provisions to women in specific and Indian citizens in general.

Given prevailing situation of women, the researchers attempt in focusing on awareness of women concerned laws among advocates of Madurai, for codified law of women in changing or facilitating change in the life of women in specific and Indian citizens in generic term.

Social legal study is in growing process now. The focus of this socio-legal study is by and large confined to improve status of women in the society and to ensure them away from their problems. In this wake the researcher stick on Devigaranis study, “women’s awareness and attitude regarding their legal rights” highlights women’s awareness of their rights irrespective of their employment and educational status.

The brief survey of socio legal study emphasizes the importance of the present study.

3.2 Objectives of the study:

- To study the socio-economic level of women lawyers
- To analyse the opinion of lawyers regarding piecemeal laws about women
- To find out the opinion of male and female lawyers towards women’s laws.
- To analyse whether the present laws are protecting women enough or not.
- To highlight the opinion of lawyers regarding the role of women’s laws and implementation of law of women
➢ To explore the factors which necessitates the law of women
➢ To find out the problems in present piecemeal women’s laws and offer solutions

3.3 Hypothesis:

There is no relationship between awareness of legal rights of women’s laws and background variables

3.4 Definition of concepts

A research study will not be focused without a clear definition of terms and concepts used in the study. Thus, the concepts used in the present study are indicated under formal and operational definitions.

3.5 Formal definitions

1. Level of awareness is the yardstick by which the heightened perception and ready comprehension and appreciation of issues can be repeatedly measured.
2. Legal right is the claims recognized and delimited by law for the purpose of securing it. It is the aggregate of the capacities, power, liberties, and privileges, by which a claim is secured.
3. Sources of knowledge and awareness are the originating grounds from which the realization and perception of knowledge about issues is attained.
4. Opinion is the view, judgment or appraisal formed in the mind about particular matters. It’s something that is generally or widely accepted as factual and also implies a conclusion concerning something on which ideas may differ, not, however excluding a careful consideration or weighing of evidences, of pries and cons, but usually stressing the subjectivity and disputability of the conclusions.
5. Loopholes and remedies are the backlog in present law and necessary salvations for these backlogs.

### 3.6 Operational definitions:

1. Level of awareness refers to the extent or degree of being consciously informed either generally or specifically about the legal rights of women’s laws.


Present piecemeal women’s laws refers to the laws of the religious communities (Hindu, Muslim, Christian) in areas of birth, marriage, divorce, maintenance, and property rights.

Labour legislation pertains to the legal provisions regarding working conditions, maternity benefits, and facilities of the working place involving protection of women at the work place.

Source of awareness are that from which a person obtains or has access to information, knowledge, about legal rights of women, laws concerned with women, either through formal or informal sources.

Opinion is the expression of one’s view point based on knowledge about women’s legal rights.
These concepts clearly indicate the areas of focus in the study.

3.7 Variables:

The dependent and independent variables used in this study area are listed below.

3.7.1 Independent variables:

- Gender
- Religion
- Education
- Age
- Type of Family
- Marital status including age at marriage
- Income

3.7.2 Dependent variables

- Awareness laws with regard to women’s laws
- Sources of awareness about legal rights of women
- Opinion of advocates about existing legal rights of women’s laws
- Opinion of advocates regarding role of women’s laws and its enforcement implementation towards women’s legal rights

3.8 Research Design

The study under investigation employs the explanatory cum descriptive design, to find out the awareness of women’s laws from the women advocates of Madurai. It’s
exploratory in the sense, that some aspects of the study, notably awareness of laws about women among them. Women advocates are the unique and new features of this study. Its descriptive, since, the researcher seeks to describe the various characteristics of the women advocates and sample population, as well as to ascertain the existence of an association between the variables and to highlight the opinion at respondents on the issue of present piece meal laws of women through cases and its judgments of supreme court of India.

3.9 Sampling Method:

The researcher utilized the purposive sampling method for data collection. Respondents are drawn from advocates. 165 women advocates and 165 men advocates participated in this study. Care is taken in selection of respondents. Only those who are very willing and who understood the purpose of the study were interviewed.

3.10 Sample Size:

Initially a pre-test was conducted amongst a cross section of 100 respondents. After the necessary modification in the interview schedule the researcher proceeded with the main study. The completed sample for the study is 330. In the process of data collection, it was observed that the knowledge and awareness amongst respondents was limited to a general understanding of the existing women’s laws. Besides, a larger sample need not necessarily reflect the general awareness or opinion regarding women’s present piecemeal laws (APPLW) basic criterion for selection of respondents- Gender and Religion was fulfilled. The breakup of the selection of respondents is as follows:

Table no – 3.1

Distribution of respondent’s by their religion
<table>
<thead>
<tr>
<th>Religion</th>
<th>Gender</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Female</td>
<td>Male</td>
</tr>
<tr>
<td>Hindu</td>
<td>55</td>
<td>55</td>
</tr>
<tr>
<td>Muslim</td>
<td>55</td>
<td>55</td>
</tr>
<tr>
<td>Christian</td>
<td>55</td>
<td>55</td>
</tr>
<tr>
<td>Total</td>
<td>165</td>
<td>165</td>
</tr>
</tbody>
</table>

In the final analysis, despite the technical constraints, the sample selection reflects a combination of different views and opinions that may help in a qualitative analysis.

3.11 Tools of data collection:

The researcher has used the interview schedule as the main tool for the collection of primary data. Both opened and closed ended questions were utilized. Seven categories of opinions were collected.

Reliability is established through split half method and the score obtained is 90. Validity is established through legal opinion from senior counsels as well as through face validity.

3.12 Self image of women scale:

The term ‘self image’ is synonymous with self concept. Perusal of literature revealed that self image scales of advocate women are not available. Hence the researcher has constructed a 30 statement scale to test the self image of advocate women who are above
twenty years in order to find out the roles of one’s self image on respondents ‘Awareness of women and law’. The statements are both positive and negative and ranged from individual abilities and capabilities in various situations and their possible reactions to different issues and personal situations.

The self image of women scale was developed by the researcher on a 6 point scale opinion ranging from ‘Strongly Agree’, ‘Agree’, ‘Mildly Disagree’, ‘Disagree’, and ‘Strongly Disagree’. Equal number of positive and negative situations like Scores of 6, 5, 4, 3, 2, and 1 for positive statements and vice versa for negative statements were assigned. Jury opinion suggested certain changes in the wording of the statements i.e., specific and simple. After necessary modifications, it was once again given to 5 more experts including one expert from the previous jury. In the pre-test, there were 50 statements, but after finding that twenty statements were not clear and repetitive, was deleted.

Statistical reliability is worked out using the split half method. As far as validity of the scale is concerned, it is established by getting the rate from judges and the validity score thus arrived in the self image of women scale.

Thus, broadly the tools of data collection used for

1. Interview schedule
2. Self image of women scale for women respondents
3. Informal interview guide for lawyers to find out the problems in present laws. Discussion with the police Inspector of the all women Police Stations.
4. Personal observation of the functioning of the Family courts in Chennai.
5. Personal observation of the functioning of the women court/mahila court in Chennai was also undertaken.
3.13 Process of data collection:

Prior to the actual collection of data, beginning with the pre-test, the researcher obtained the expert opinions of a few leading legal practitioners in the Chennai High court regarding the viability of the study. A pre-test was carried out amongst 100 respondents to find out the feasibility of the Schedule.

With few changes in the schedule, the actual study was undertaken. Respondents contacted were lawyers. In short, the participants in the present investigation are drawn from diverse field practitioners who ultimately reflect a composite range of opinion and views regarding the role of laws for women.

3.14 Procedure and Presentation of Data Analysis:

After collection of the final sample of 330 respondents, the data was classified into various relevant categories. These were subjected to statistical testing as follows.

The following tables give a descriptive summary of the data analysis and its presentation. In this table the tools of interpretation has been mentioned as per objectives wise.

<table>
<thead>
<tr>
<th>S.no</th>
<th>Objectives</th>
<th>Variables used</th>
<th>Tools of Analysis</th>
<th>Presentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>To study socio-economic level of women lawyers</td>
<td>Gender, Religion, Age, Education, Marital status</td>
<td>-Percentage -Descriptive analysis</td>
<td>Tables and diagrams</td>
</tr>
<tr>
<td></td>
<td>Income</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td></td>
</tr>
</tbody>
</table>
| II | To analyse the opinion of lawyers regarding piecemeal laws about women | Self image scale |  - t test  
|   |   |   |  - correlation | Tables |
| III | To find out the opinion of male and female lawyers towards women’s law | Gender, Religion, Age, Education, Marital status, Income | Descriptive analysis | Tables |
| IV | To analyse whether the present laws are protecting women enough or not | Gender, Religion, Age, Education, Marital status, Income | Descriptive analysis | Tables |
| V  | To highlight the opinion of lawyers regarding role of women’s law and implementation of law of women | Gender, Religion, Age, Education, Marital status, Income | Descriptive analysis | Tables |
| VI | To explore the factors which necessitates the law of women | Gender, Religion, Age, Education, Marital status, Income | Descriptive analysis | Tables |
| VII | To find out the problems in present women’s law and to offer solutions | - | Descriptive-report of outcome of interviews with lawyers, women and men police | Description |
3.15 Chapterization:

A research study would be incomplete without a systematic presentation of the facts and findings of the study undertaken.

In this study of ‘women and law’ Chapter I introduces the subject, where it dwells on the status of women, the role of law and importance of socialization.

Chapter II deals with a Review of previous related research studies, Books, dissertations and news reports provide the necessary inputs.

Chapter III deals with research Methodology. It provides the broad framework, on how the study shapes up and process that goes into building it up.

Chapter IV deals with the socio economic background of the respondents and how they acquired the process of socialization process.

Chapter V deals with opinion of the respondents regarding present piecemeal laws about women.

Chapter VI deals with opinion of male and female respondents towards present piecemeal laws about the women.

Chapter VII deals with whether the present piece meal laws protecting the women or not.

Chapter VIII deals with highlight of the opinion of respondents regarding role of women’s law and implementation of law of women.