CHAPTER-I

INTRODUCTION

Since centuries our society has been a male dominated society, where a women’s place has been primarily confined to the home. Her role was limited to procreation and upbringing of children. The position of women during the vedic period was considerably better than during later periods. But it is true that during any historical period, women did not enjoy an equal position or status with men. The most note worthy feature of ancient India during vedic times was that women were given equal rights with men in all walks of life, including education. Women have been quoted as authors of some, the samhitas of Rigveda. But as time passed, women started to loose their privileges. During the middle ages, seclusion was added to the existing subordinate status of women. In course of time, women, became completely dependent, illiterate and oppressed, (Pillai, 1990) Their position by the 19th century had considerably deteriorated. The existing social, cultural and political climate has contributed in no mean way to this decline. So before independence, a woman did not have an important existence of her own.

Gradually, after Independence of social and economic status of Indian women has improved considerably. However their condition is not satisfactory even today. A need to accord a special place to women and help them to take due recognition of their capabilities has been increasingly recognized at the national and international levels.

Equal treatment of women by the constitution of India-Indian constitution never treated men as above women. It regards all citizens as equal. The preamble of the constitution itself guarantees social,
economic and political justice, liberty of thought, expression, belief faith and worship, equality of status and opportunity to all citizens of India without any discrimination, on the ground of caste, race, sex etc.

The rise of large number of women professional can be considered as one of the greatest achievement of Independent India. During the past four decades, there has been a remarkable change in the field of women professionals. Today, these professionalists are proving to be tough competitors. The spirit of having her own profession and be economically, socially, politically, independent has made women to go in for different professions. Professional women initiate, organize manage and control the affairs of society.

Vedic era was the golden era so far as the equality of status and freedom of women was concerned. In Gurkuls women studied with men, and many women were well versed in the Vedas. Women were free to select their grooms. Women were actively associated with every social and religious ritual and ceremony. They could move freely out and enjoyed freedom of movement by attending fairs, festivals, sabhas and assemblies of learned persons. Thus in the vedic era woman was considered as equal partner and enjoyed equal status and prestige in the society. The couple was called ‘Dampati’ which means that the husband and wife are the two joint owners of the household.

In Smritik era, the honourable status a Hindu woman enjoyed in the Vedic era gradually started declining. Smritikars imposed so many obligations on a Hindu woman and restrained her to household works and child rearing. Manu, in Manu Smriti, degraded and lowered the status of women to an unimaginable extent by advocating women’s complete dependence and subordination to men. Manu stated that there is a vital structural difference between man and woman and a woman could not possess an independent status. It was laid down that she had to
depend on man from cradle to grave; in childhood on her father, in youth on her husband and in the old age on her sons. They were denied right to property, divorce, freedom and independence. A married woman had to worship her husband like a demi-God, be he a drunkard, a leper, a criminal or a psychopath. Widow’s marriage was forbidden; they were allowed to dress only in white and were considered as inauspicious on the occasion of marriage, festival and other rituals.

As regards to property right, a wife had no separate right in the property because here identity got merged in the personality of the husband. Since women and property are bracketed together in several references, there is no doubt that woman herself was considered as a sort of property. In Smrities, a wife, a son and a slave, these three are declared as having no wealth of their own. Thus, in this period Hindu women lost their individuality and status in society. Child marriage, denial of education for girls, polygamy and restrictions of their free movements were the main factors for degradation of Hindu women’s status during Smritik era. And the attitude, behaviour and living patterns of Indian society changed practically during British regime due to education and western impact on social-cultural life. After centuries of social stagnation, serious efforts were made by social reformers like Rajaram Mohan Rai and Swami Dayanand Saraswati for upbringing the social status of Hindu women and making people sensitive to the injustice done against them.

The British Government in India passed first enactment of Sati Pratha Abolition Act, in 1829. The Caste Disability Removal Act, 1850, the Hindu Widow’s Remarriage Act, 1856, the Female Infanticide Prevention Act, 1870 and the Child Marriage Restraint Act, 1929, were other major enactments during British period for the protection and upliftment of Hindu women. These enactments were passed by the British government at the repeatedly
persuasion of social reformers and national leaders. Gandhiji gave a call for women’s participation for their economic rehabilitation and social reform. Women actively participated in freedom movement and felt a sense of equality with men. The Hindu Women’s Right to Property Act, 1937 granted right of inheritance of property to Hindu women, but it was restricted to their life time only. Thus, during this period an awareness was created both among society and among women themselves of the need to remove social disabilities of women.

Article 51A (e) provides that it shall be the duty of every citizen of India to renounce practices derogatory to the dignity of women. The four enactments viz., the Hindu Marriage Act 1955, the Hindu Succession Act 1956, the Hindu Adoption and Maintenance Act, 1956 and the Hindu Minority and Guardianship Act, 1956 were passed and brought a great change in the status and position of women in India.

Equality of opportunities in employment helped to ensure a significant position and status to women in India resulting in increasing number of women in public services. The Equal Remuneration Act, 1976, provides for equal remuneration to men and women and attempts to prevent discrimination on grounds of sex against women in matters of employment and other connected matters. Special attention is given to the needs and problems of women as one of the “weaker section” of Indian society. Political equality radically changed the position and status of women. And, the National Policy on Education, has accorded highest priority to women’s education and emphasizes that the entire system must be built in provisions for women empowerment. The NPE lays special emphasis on the eradication of disparities by providing equal opportunities to men and women. The most welcome tendency in
women’s empowerment and education activities is a serious effort to co-ordinate the programmes of formal and non-formal education, health and family welfare.

Now, we shall discuss the status of women under different heads:

**Sex Discrimination**

When we talk about women’s status in any society, there has been a general convention to assess their role in relation to men. Whether they are similar to men, different from them or complimentary to them. Now-a-days women’s access in decision making process, whether in home or outside, is a new dimension which is considered important when we talk about women’s status. Besides this, one thing is very important in deciding the status of women is that what type of role they are playing in society. In India, the status of woman varies from region to region and further differs on account of caste. Social hierarchy, class system of our society, economic inequality, cultural variations and even distribution of power and privileges has been made it more complicated. Looking on all these complexities it is very difficult to assess the status of women in general. As the committee on the status of women in India admitted, “The status of women in the Indian context cannot be defined simply. General conceptions like equality, role differentiation, legal, social and political rights, dependency are not applicable to all sections of our population. Since a very large section of our society still continues to be under the influence of traditional standards, we had to justify the role conceptions, norms and values in all their wide variety in traditional society, against the new dimensions in women’s status and roles introduced by the constitution and the processes of social change.”
Our culture provides us with a shared set of expectations or assumptions regarding the behaviour, attitudes and feelings of persons of each gender. The images of women as weak, whining and excitable creatures, and men as logical, tough and confident beings have a long history in Indian culture. These cultural assumptions seem so natural to us that we do not usually wonder how we came to believe them, or if they are really true. The woman who behaves in an unexpected way is likely to be labeled “unfeminine” or unladylike”. The label, or the threat of being so labeled, discourages women from behaving as they otherwise might.

The shared images of females and males that our culture provides are one component of what social scientists call female and male gender roles. Social learning and cognitive development theorists hold that sex roles are learned in the same way as any other role or behavioural pattern. Learning theories generally focus on our behaviour and on the mechanisms through which learning takes place. The parents respond to the behaviour of children rewarding some actions and punishing or ignoring others. At first, a baby cannot plan its behaviour, but soon actions that achieve gratifying results are repeated. As they mature, they also identify with family members and others and attempt to behave the way they believe the other person would behave in specific situations. Thus, the family and society play a great part in the process by which these roles are learned. The role of men and women have been constructed around a whole series of dichotomous categories: the ‘one’ and the ‘other’, the public and private domains, rationality and emotionality, mind and body and autonomy and dependence etc. The first of each of these pairs tend to be associated with men and positively valued, while the second is associated with women and negatively valued, India is considered the second largest country in the world in terms of population and it is believed that more girls are born than boys. However, more
girls die compared to boys and life expectancy at birth is lower for them. Consequently, there is an unfavourable trend in the sex ratio.

In Indian context, the role of the family is crucial. Ironically it is also the place where deep-rooted discrimination finds expression. A very strong gender bias is entrenched in the cultural heritage of Indian society. It is a society that idolize sons. Sons are considered ritually and economically desirable. They are desirable not only to light the funeral prayers of their parents, but also to ensure continuation of the lineage and family name. In most of the Indian families, from the day of her birth, a girl is viewed as more of a burden or liability. This is because investments made for a girl brings no return. Instead, at the time of her marriage, a sizable dowry has to be given to her, draining the family resources. Girls are thus socialized from the very beginning to accept their situation and the ideology of male supremacy which makes them prey to a whole range of discriminatory practices. Family structures and social values function in such a way that girls grow up looking upon themselves as inferior and subservient, entitled to much less of everything than sons—less opportunity, less authority, less status, less power and virtually no choices. The duality of values that operates in the patriarchal family is internalized at an early age, as a natural inevitable part of life. She acquires qualities of submissiveness, weakness and self sacrifice. The socialization process reinforces these stereotypes at all levels in the society, building her into a prisoner of her gender unable to retaliate against implicit and explicit injustice. In fact she often espouses and propagates cultural values which militate against the interests of the female gender. Customs, rituals, traditional practices frequently make a girl the “lesser child” who is denied optimal opportunities required for growth and development.
In this connection, problems of female foeticide and female infanticide are causing concern to government and other development activists. Age specific death rates indicate that upto the age of 35 years more females than male die at every age level. Malnutrition in young girls triggers a vicious cycle of under-nutrition which spans into adulthood and passes on to the next generation. Maternal mortality rate in India is unacceptably high. It is common to provide lower inferior diet to the female child. Coupled with it is the lack of care given to her, ignoring special nutritional needs during adolescence that may render her vulnerable to complications and mortality during pregnancy and child-birth. Girls thus fail to reach their full growth potential, get married early, run considerable risk of obstetric complications and give birth the low weight babies perpetuating the vicious circle. Sex bias in heath care has been indicated in several micro level studies of hospital records.

While gender discrimination exists in: providing care to the girl child in the areas of health, nutrition, education and distribution of work during early childhood years, this gets further heightened with the advent of puberty. As a young girl is seen to become more vulnerable, numerous restrictions are imposed on her as far as her movements and behaviour are concerned. There is an intense preparation in the socialization process for her to take on the roles as a wife and a mother. The process includes restrained behaviour in speech, carriage, appearance, conduct and interaction with males. By the time a young girl is married, she is expected to be well versed in home making and in the behavioral pattern expected of a wife and a daughter-in-law in the society and factors like caste, class, community, religion, locality, family occupation are all brought in. These controls affect women and men alike, making them accept ‘gender inequality per se severe and this unconscious bias sometimes prevails even among person open
to progressive, secular and egalitarian ideologies. Addressing at the seventh convention of Avinashilingam Institute for Home-Science and Higher Education for Women. Dr. Sarla Gopalan, secretary to Government of India, stated that, “World has been affected more by poverty, lack of opportunities and facilities. Owning to innate discrimination prevalent in all societies, women do not have an equal status with men.”

Traditionally woman is placed in the role of a mother, a wife or a daughter. The unequal status has been caused less by conscious discrimination against women than stereotyped attitudes of both sexes about their respective roles. Women are often treated as unequal because they are alleged to be inferior to men in certain respects, and the consequences of their unequal treatment are than seen as evidence of their inferiority. The result is, women automatically appear not to have the characteristics required for positions with high status.

Here often women carried negative images of themselves deep inside them. These negative images often came when they were growing up and were made to feel worthless, weaker and having lower status than boys. They-felt that they were not noticed and valued in the same way as men were and their work was often made out to be little valued. They experienced gender oppression through various social institutions such as labour, education, law, family and religion. At the end of the international Decade for women in 1985, women meeting in Nairobi agreed that “although the consciousness of women had been raised, the material conditions facing women had declined.” In most societies all over the world, women are seen as inferior to men and have less power to make decisions affecting their community or country. According to United Nations Statistics-
Women perform 67 per cent of the world working hours.
Women earn 10 per cent of the world’s income
Women are 2/3 of the world’s income
Women own less than 1 percent of the world’s property.

The above statistics shows the real position of women in the world.

Indian women have been traditionally cast in the role of self sacrificer. Dr. Neera Desai in “ Social Movements: Struggle for Indian Women’s Emancipation” wrote, “ The middle class women, who could provide leadership to the movement, are so conditioned in the traditional value of docility and self-sacrifice that they are satisfied with, the little freedom and conveniences provided in middle class home’s that they consider themselves very lucky in not having husbands who are oppressive. For this group it is very doubtful whether the slogan of sex equality would appeal.” In the past her anxiety was limited only to her family and home. But now she has to face new challenges of outer world and her profession. Educated women at the height face opposite problems. Their first challenge is how to live in the realm of fame, money and prestige and power without being corrupted. But an equally compelling one is how to temper without being corrupted. But an equally compelling one is how to temper the rationality, critical thinking and self governance, that are the qualities of a genuine professional with care, concern and connection that are absolutely essential to turning both the professions and the world around. Due to their limitations, women prefer only those jobs which have specific time specially day time and in which they must not have to go out of city or town. This often relates to their weakness as the women are fit only for a special type of jobs.

Women have a special role both in ensuring continuity and in evoking new aspirations. Women play a very important role in
all aspects of life economic, social, political and cultural. Besides a maternal role, women have a very important role in society. A woman, who is competent enough to handle a difficult job, is usually also a better wife and homemaker. Women are a bridge and synthesizer as they are the conserver of tradition but at the same time they are also the absorber of the shocks of the future. She should not allow herself to be swept off her feet by superficial trends. She must ensure the continuity which strengthens roots and simultaneously engineer change and growth to keep society dynamic, abreast of increasing knowledge and sensitive to fast moving events. The solution lies neither in fighting for equal position nor in denying it, neither in retreat into the home nor escape from it. The approach must be positive. Women play a very important role in shaping the future of a society. Because it is how they influence their children and their homes, how they inculcate good habits of living that society can change and go forward. All women are teacher and guides of society. Women are supposed to be specially perceptive, able to see nuances in a changing situation and this is the quality that is most needed in life today. Women are not weak themselves, but because they are so handicapped from birth, by customs and social attitudes that they have no chance of developing their innate strength. And in Indian society, it is in a phase of transition. And in this phase of transition, there is likely to be a conflict between the traditional and modern values. With her new responsibilities woman is required to play a dual role. There are various reasons economic, social and psychological—due to which women have entered the employment market. Some women are working due to economic reasons. Some women have started working to raise the standard of the family. Sometimes work initially to help her family but afterwards it becomes a necessity for their existence. For some women economic independence is required to live with self respect, where as others are seeking an outlet for their creativity through work and want to
develop an identity of their own. Work is also means of getting rid of the monotony of household work and seemingly unproductive and meaningless life.

The modern educated woman wants to work because she is no longer satisfied with her role as housewife. She wants to utilize her intellectual abilities and wants to do something which gives her satisfaction and secures for her an identity in the family and society. She is contributing to the family income which is needed to raise the standard of living of family, but at the same time she has to engage in the unpaid labour of housework and child care. Whether they work for financial reasons or psychological ones, working women are torn apart by the dual pressure of work. After a full day’s work they have to do a second shift, at home. Rising at dawn making beds, cleaning the house, preparing breakfast and lunch, washing clothes, and rushing off to work. Returning at dusk with shopping in hand, to cook the family’s dinner, supervise the children’s home work, keep the house neat and tidy and finally collapse into bed only to begin a fresh early in the next morning. Men brought up in the traditional patriarchal set up, resist sharing domestic chores.

It is considered degrading and humiliating for man to do house work, and wife is considered the most competent one to do it. Men have always been able to accomplish many things with the help of women. If it were not for their wives in the background, successful men in any society would have to be single or childless. This is why so many professional women complain privately that what they most need in the life is a ‘wife’.

Within this type of home setup the needs and career aspirations of women are neglected to the background, and this leads to a conflict in the family. So, it is important that this situation must be changed by role sharing. There is only one way’-co-operation and sharing the household burden.
Men do help women occasionally and in pleasant type of household responsibilities which have less drudgery and are considered superior. But this is not enough. A real change needs to be brought about in the thinking of the males with the changing life style and needs of the family. In a seminar on “The Role of wife in the Changing Society” Smt. Durga Bhaskar, the chief guest, suggested that men should participate in such seminars so that they can be sensitized to the problems of double burden. There is a need of changing the family environment in which sharing the household responsibilities by a male member will not consider as an extraordinary activity. Most working women are generally happy because they have a sense of identity instead of being known as someone’s wife, daughter or mother.. Society, which did not acknowledge their existence as home makers, which negated their productivity as child rearer, now appreciates her for her economic contribution or takes note of the creative work they do. This is the reason why working women seem to be happier than non working housewives inspite of the heavy price they have to pay in frazzled nerves. What is important to the women is not just their enhanced incomes but also the change in their status. Special attention had to be paid to ensure women’s control over their income, their access to resources.

Our constitution states that there shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the state. We have Equal Remuneration Act, 1976, that provides equal remuneration to men and women for the same job. Thus, our constitution and legislations guarantees equal opportunity for employment, both for men and women. One of the striking features in post independence India is the phenomenal increase in the number of employed women among the middle class. According to census data the proportion of employed women to total population steadily rose from 14.22 per cent in 1971 to 19.67 per cent in 1981 and to
22.27 per cent in 1991. Regional variations are wide as the female employment in major states is ranging from as high as 34 per cent to as low as 4 per cent. In 1993, 4.0 million women were employed, constituting 14.6 per cent of the total employment of 27.18 million of these about 62 per cent were employed in the public sector and 38 per cent in the private sector. Female employment is organized sector which forms 4 per cent of the total employment, whereas, for men it is 10 per cent of the total employment. A matter of great concern is the unemployment rate among female worker in recent years. The rate of unemployment is more significant for urban females (4.7%) as compared to rural females (0.3%). The number of women who had registered their names in employment exchanges was 78.50 lakhs at the end of 1993. At the end of 1994, it increased to 80.90 lakh.

The overall picture is not very satisfactory. Several factors account for this situation. The all-round development of a society requires full participation by all sections of the society including women. The economic problems in the changing society have made the need of employment for women essential. But the traditional practice of excluding women from working outside the family is still prevalent in some sections of the society. Also entry into employment is determined by whether the job has social prestige, and whether it coincides with children’s needs. But the employment of women does not mean liberation from household responsibilities.

The new technological development demands new skills and knowledge. In the absence of these skills women tend to get easily displaced by new technologies, or by trained and skilled persons. Women need special training programmes to make themselves fit for particular jobs. The Central Social Welfare Board has introduced schemes for assisting training-cum-production centres in small scale industries and handicrafts. The Government as well
as, voluntary agencies are engaged in imparting informal training to women, especially in the lower income groups, these training programmes have made only a marginal impact on the employment needs of women as there is no planned link between production and marketing. And Shramshakti (1988) stressed the need of setting up an exclusive credit body for poor and self employed women and linking all training programmes to employment. The National Perspective Plan for Women’s Education (1988-2000 A.D.) stressed the need of promoting skill training for employment. The plan also recommended that all women working in industries or employed elsewhere should be made literate by allotting time from the working hours for their education.

In consideration to special needs of women, opportunities should be provided for part time employment with necessary safeguards against exploitation. The Government, should give proper protection to employed women. Facilities of child-care services and working women’s hostel should be made available to all needy working women. Thus, in order to fulfill the national objective of integrating women into the development process of the country, it is necessary that the special needs of the employed women should be fulfilled effectively in order to make them perform their multiple roles in the society.

**Role of Legislation in Enhancing the status of women in India:**

Today Indian womanhood is marching towards liberty and equality. For this march towards liberty and equality, various social legislation passed from time to time are mainly responsible. This legislation aimed at eradication of social evils. Following are the significant enactments, which helped in bringing about the change:
1. **The Hindu Widow Re-Marriage Act of 1856**

In the traditional Hindu society there was a ban on widow remarriage. Ban on widow remarriage was one of the most important evils from which women in the traditional Hindu society suffered a lot. This Act allowed widows to remarry, and section 5 of this Act ensured her to enjoy all the rights which a married woman did.

2. **The Child Marriage Restraint Act of 1929:**

The practice of child marriage was another social evil from which woman in traditional Hindu society suffered a lot; The age of marriage for girls was 9 or 10, and after passing of this act the minimum marriage age for women was fixed to 15 years. Later it was increased to 18 years.

3. **The Hindu Women’s Right to Property Act Of 1937:**

In traditional society women had no property right. In the eyes of law she was minor or ward. This act recognized a widow of a deceased person as his surviving personality with the same right as his in the joint property. Thus, through this act women in the Hindu society received the property right to a limited extent.

4. **The Hindu Marriage Act of 1955:**

This Act has recognized the equal rights of man and woman in the matters of marriage and divorce. Under the provision of this Act either man or woman can present a petition in the court of law for divorce, wife has got an equal right to divorce her husband as he can do.

5. **The Hindu Succession Act of 1956:**

This Act recognized an equal right for women in the matter of inheritance of property. She can inherit the property of father along with her brothers. She can also sell or mortgage the
inherited property or use it for herself. For the first time absolute ownership was conferred to a woman by this Act.

6. **The suppression of Immoral Traffic In Women And Girls Act of 1956-57:**

This Act aims to deal with the problem of prostitution and to promote the welfare of fallen women. Main objectives of this Act was to reduce the scope of prostitution and to reform the prostitutes under this act. Every state is expected to set up protective homes and to appoint women police and women social workers. In protective homes these fallen women will be given training in tailoring, toy and basket making and other crafts so that they may earn for their maintenance in a proper way.

7. **The Dowry Prohibition Act of 1961:**

The main objective of this act is to abolish giving and taking dowry at the time of marriage. The term dowry refers to a valuable property or thing which is determined by the parties for a marriage. The practice of dowry had produced very bad effects. Dowry has become a social evil. Even though this act prohibits dowry system, the dowry cases have not been reduced. Still this act makes some effort in bringing social change.

Above mentioned are the important legislations which brought upward trend in the status of women in India. Today what women are enjoying their status is because of the legislations. She is protected in every way of life. Thanks to legislations and now women in India are gaining better status, recognition and respect.

**Women in legal profession:**

The rise of large number of women professional can be considered as one of the greatest achievement of independent India. During the past four decades, their has been a remarkable change in the field of women professionals. Today these professionals are proving to be tough competitors. The spirit of
having her own profession and be economically, socially, politically, independent has made women to go in for different professions. Professional women initiate, organize, manage and control the affairs of society.

Women in legal profession today are in search of new opportunities for self-fulfillment. They want to prove their abilities and want to create a balance between their family responsibilities and their professional career.

Women lawyers often cultivate a high level of administrative capability flair, an ability for decision making, computational skill; delegation skill, organizational skill, and have sound technical knowledge. Such women lawyers stand a much better chance of success than their counter parts, who possess none of these basic qualities, besides it is possession of these scarce qualities which confers an advantage on some women to become a good women lawyers.

Legal profession’s development is a subject that has assumed great importance and is bound to be one of the dominant topics of discussion during the decades to come. Resistance to change can be resolved by involving people in the process. The remedy lies in fostering an professional spirit among people.

The entrance to this profession is easier than to survive in it. Each one of us know the competitive trend and trade of this profession. In this profession unless anyone who has close relatives such as father, husband or uncle or godfather it is very difficult for them to continue their profession. It was observed that not all the lawyers enrolled at the bar are practicing lawyers. Quite a few drop out the profession after a few years, or take up other occupations and many of them allegedly enroll themselves for extraneous considerations, such as maintaining a status symbol or for evasion of income tax.
IMPORTANCE OF THE STUDY / STATEMENT OF THE PROBLEM:

U.N. report of 1980 states that “women constitute half the world’s population, perform nearly two third’s of it’s work, hours receive one tenth of the worlds income, and own less than one hundred i.e. one percent of the world’s property.” This statement clearly depicts the status of women all over the world. The legal profession is not an exception to this statement. Although justice prevails in the legal profession all over the world males dominancy is seen. The sex-wise distribution of different categories of legal professions in India clearly indicates a complete male dominance at all levels, and records a decline in the proportion of women lawyers over the decade i.e. during the period 1961-1971, however, according to the bar council of India, in 1981 the total number of lawyers was 2,21,280 of which 5,779 were women accounted for 2.5% of the total. Comparative studies of different countries reveal that women lawyers are only a thin minority. In United States in the year 1975 there were 40,00,000 practicing attorneys, of this only five to seven percent were women. But in Soviet Union thirty six percent women lawyers were practicing, in East Germany there were thirty three percent and in Poland nineteen percent. In the same year in England out of 370 practicing queen counsel 4 were women, and out of 28,000 solicitors there were only 2,000 women, and in the total of 3,300 barristers 200 were women. There are 328 senior judges of whom only 6 are women. And the total number of advocates men and women enrolled with the state bar councils of India as on 31-03-2007, States Men Women total population of Andra Pradesh was 58147 9605 67752, Assam Nagaland, etc 9703 2022 11725, Bihar 89594 3043 92637, Chhattisgarh 10000 4949 14949, Delhi 30000 8549 38549, Gujarat 38586 9208 47794, Himachal Pradesh 4680 741 5421, Jammu and Kashmir 2832 597 3429, Jharkhand 5407 485 5892, Karnataka 37861 6756 44617, Kerala 30000 6437 36437, Madhya Pradesh
60000 9208 69208, Maharastra and Goa 78522 5636 84158, Orissa 31000 6993 37993, Punjab and Haryana 42411 4265 46676, Rajasthan 35000 5823 40823, Tamil Nadu 46575 5902 52477, Uttarakhand 359 76 435, Uttar Pradesh 195780 6000 201780, West Bengal 50000 2261 52261, total 955013 as on 28-11-2007. In Karnataka state the total number of law colleges are 62. In Hubli city the number of law colleges are 4. In Dharwad city the number of law colleges are 4 as per the records of 2007, in Hubli-Dharwad, Karnataka state. The total number of lawyers are 2168, among them the number of women lawyers are 307.

The present work is an attempt towards this direction. Which identifies number of major issues and combines empirical material with theoretical insight and discusses the actual position or status of women lawyers in society. The study covers diverse aspects of the subject and discusses complexity of problems of women lawyers. This is a multi-disciplinary investigation into various aspects of the pressing socio-economic and political problems faced by Indian women lawyer. It also provides an overall view on issues and problems related to women lawyers’ contribution. Hence, it is hoped that this work will be of immense importance and interest to all.

**Meaning of Different Concepts of the Study :**

In this study it is realized that many women opt for a career in legal sector because they feel that it suits them in many ways. Legal profession gives them respect in society, awareness of legal rights and it increases self respect in the society, and confidently they can take any decision pertaining to them and moreover such a profession is urban based. There are different types of concepts which are interrelated to the present study to understand the proper conceptual idea of these terms they are clearly defined.
**Work:**

Disciplined and persistent activity devoted for achieving a goal, with the actual activity only instrumental to the accomplishment of the final goal of the activity.

**Vocation:**

A call to follow a particular career, or undertake a duty, occupation or “Calling”.

**Job:**

Characteristic personality types within a bureaucracy differentiated on the basis of their involvement in their professional group versus the bureaucracy.

**Career:**

A progression of related occupational rules through which person moves during his working life. A career comprises a socially recognized patterned sequence of occupational rules, often with increasing prestige and rewards.

**Occupation:**

A set of activities centered on an economic role and usually associated with earning a living for example, a trade, or profession. An occupation is a social role that is determined by the general division of labour within a society. As a specialization of an individual’s function in society, it is an important factor defining person’s prestige, class position, and style of life (Scott 1988).

**Profession:**

A profession is an employment, especially an employment requiring a sound education, as those of law and physics. In the Century Dictionary the definition of profession is given, among others,
as a vocation in which a professional knowledge of some department of science or learning is used by its practical application to the affairs of others, either in advising, guiding or teaching them or in serving their interest or welfare in the practice of an art founded on it.

The word 'profession' implies professional attainment in special knowledge as distinguished from mere skill; a practical dealing with affairs as distinguished from mere study or investigation; and an application of such knowledge to uses for others as a vocation as distinguished from its pursuits for its own purposes. The term 'profession' is applied to an occupation or calling which requires learned and special preparation in the acquirement of scientific knowledge and skill.

**Background of the Court Dress or Black Coat:**

Court dress is worn at hearings in open court and in all courts of the supreme court of judicature and in county courts. However, court dress may be dispensed with at the option of the judge, eg. in very hot weather and invariably where it may irritate children, eg. in the family division and at the trials of minors. In the house of Lords and in the Judicial committee of Privy council counsel wear court dress, but their lordships are dressed in suit. Court dress is not worn at hearings in chambers and in the magistrates courts.

**Advocates:**

The Lord Chief Justice announced on July 12, 2007 that there would be significant change to court dress from January 1, 2008. All advocates whether solicitor advocates or barristers would be permitted to wear wigs. However, following a consultation exercise which showed strong opposition in the profession, the Practice Direction implementing this reform has been put on hold.

English advocates (whether barristers or solicitors) who appear before a judge who is robed, or before the House of Lords or Judicial Committee of the Privy Council must themselves be robed.
All advocates wear a white stiff wing collar with bands. They also wear either a dark suit or a black coat and Waist Coat and grey pinstriped trousers. The Black Coat and Waist Coat can be combined into a single garment, which is simply a waistcoat with sleeves, known a bar jacket.

**Junior Barristers:** Junior barrister wears an open-fronted black gown with open sleeves and a gathered yoke, over a black or dark suit, hence the term stuff gownsman for juniors. In addition barristers wear a short horsehair wig with curls at the side and ties down the back.

**Solicitors:** solicitors wear an open-fronted black gown and may wear a short horsehair wig with curls at the side and ties down the back.

**Queen's Counsel:** Barristers or solicitors who have been appointed Queen's Counselor or QCs, wear a silk gown with a flap collar and long closed sleeves. The QCs black coat is known as a Court Coat, is cut like 18th century court dress, and the sleeve of the QC's Court Coat or bar jacket has a turnback cuff with three buttons across.

**Legal profession :** The word 'legal' when used as an adjective, means pertaining to law or connected with the profession of law.

According to **Pound,** "Law is the body of principles recognised or enforced by public and regular tribunals in the administration of justice." Law is an instrument of society and, its objects are achievement of justice, stability and peaceful change.

The term 'legal' is synonymous with "lawful, adequate and reasonable". According to **Brougham L.C.,** "the interests of justice cannot be upheld, the administration of justice cannot go on without the aid of men skilled in jurisprudence, in the practice of the courts, and in these matters affecting rights and obligations which form the subject of all proceedings". Legal profession is an occupation of gentlemen so eminently qualified by their education and principles of honour as they have to discharge the duties of an advocate.
Legal profession as an occupation: In society, people occupy different occupations for their livelihood or for their satisfaction. The profession of law is one of the oldest professions. The person in legal profession is called an advocate or lawyer. An advocate is an officer of justice and friend of the Court. He has to accept a small amount as a token for the service he is going to provide to his client. He has to accept a brief for any man who comes before the courts and do what one can do honourably on behalf of his client. He has to collect legal material relating to the case of his client and argue in the courts to help the judge to deliver judgment. The central function that the legal profession must perform is nothing less than the administration of justice.

An advocate also serves the public by giving legal advice by explaining the complicated and confusing provisions of different Acts and Rules to citizens who seek his service. An advocate assists the parties in drafting the economic transactions like contracts, agreements, deeds, wills etc. An advocate also provides professional services regarding taxation and trade performance. An advocate should provide free legal aid to the poor and deserving people on compassionate grounds. An advocate has to protect the fundamental and human rights in addition to propagating them among citizens. An advocate is forerunner of the society. He has to fight for law reforms and social change, and at the same time lend his services to maintain law and order in society.

Legal profession is the noblest and dignified profession. In legal profession the advocates should possess fair and honest character and conduct. The practice of the advocate has a public utility flavour. An advocate of legal profession has to keep up his status as an officer of the Court, a privileged member of the society, and a gentlemen, bearing in mind that what may be lawful and moral for a person.
**Who is eligible for legal profession:** Advocates only are entitled to practice in law courts. An advocate has to enroll in any State Bar Council. A person is qualified to be admitted as an advocate on a State roll, if he fulfils the following five conditions:

i) He should be a citizen of India.

ii) He should be of 21 years old.

iii) He should have a degree in law from any university under law.

iv) He fulfils such other conditions as may be specified in the rules made by the State Bar Council.

v) He should have paid in respect of the enrollment stamp duty and an enrollment fee payable to the State Bar Council.

After taking an oath in Bar Council, he will be admitted as an advocate.

**Legal Professional Organisation: Bar Council of India:**

The Bar Council of India and the State Bar Councils are constituted as per the Advocates Act of 1961. They are statutory bodies. They are organised by the periodically elected body consisting of a Chairman, Vice-Chairman and members of Executive. Every Bar Council shall be a body corporate having perpetual succession and a common seal with power to acquire and hold property both movable and immovable and to contract and may by the name by which it is known to sue and be sued. The functions of the Bar Council of India are:

(i) to lay down standards of professional conduct and etiquette for advocates;

(ii) to lay down the procedure to be followed by its disciplinary committee;

(iii) to safeguard the rights, privileges and interests of advocates;

(iv) to promote and support law reform;

(v) to deal with and dispose of any matter arising under the Advocates Act of 1961;
(vi) to exercise general supervision and control over State Bar Council;
(vii) to promote legal education;
(viii) to recognise universities whose degree in law shall be a qualification for enrolment as an advocate;
(ix) to conduct seminars and organise talks on legal topics by eminent jurists;
(x) to organise legal aid to the poor;
(xi) to recognise on a reciprocal basis foreign qualifications in law obtained outside India;
(xii) to manage and invest the funds of the Bar Council;
(xiii) to approve the election of its members;
(xiv) to perform all other functions conferred on it or under the Advocates Act, of 1961.

The Bar Councils consists of different elected committees such as Executive Committee for 2 years, Disciplinary Committee for 3 years, Legal Education Committee for 4 years. Legal Aid Executive Committee for 2 years, Advocates Fund Committee for 2 years etc.

The State Bar Councils have similar functions and organs as to those of Bar Council of India.

**Bar-Bench Relations**

Bar is a collective term for the attorneys who are licensed to practise in the courts, or a particular court, of any State. Bar means a particular part of Court room where lawyers spend their leisure time.

Bench means all the judges taken together as distinguished from the 'Bar' the name for all the members of the legal profession- bench is that part of court considered in its official capacity, while the judges are sitting.

The Bar and Bench play an important role in the administration of justice in courts.
Court is a place where legal cases are heard by those persons (Judges, Magistrates or other Officers) while the lawyers participate as officers of the Court to assist the Court in an appropriate manner in the administration of justice.

Court is a body of men appointed under the Constitution and law of a State and vested with the power of rendering judgments, issuing writs, or hearing and deciding appeals. An essential condition of being a court is that the court should have the power to give a decision or a definitive judgment which has finality and authoritativeness which are essential tests of judicial pronouncement.

Courts are of three types: (i) Courts of inquiry; (ii) Court of record: and (iii) Court not of record. Each court has its jurisdiction of its own prescribed by statutes. The hierarchy of Courts in India is that of the Apex Court the Supreme Court; High Courts. District Courts. Sub-Courts. Magisterial Courts and Petty Courts etc.

The Judges and Advocates have to perform their duties judiciously. No advocate does contempt under the Contempt of Courts Act. of 1971.

**Social Relationships in Legal Profession :**

An advocate is a privileged member of the community and a gentlemen besides being a citizen. He has greater responsibility to protect the country and lead the community.

**Relationship with the Public in Society :**

1. An advocate shall endeavour to make the laws suitable to the well being of the people.
2. He shall guard the liberty and freedom of the people.
3. He shall uphold the integrity and unity of the nation.
4. He should protect the fundamental and human rights.
5. He should strive for social legislations.
6. He shall educate the people to respect the law and respect the courts and the judges.
Relationship with the Community

1. An advocate shall establish Legal Aid Societies for the purpose of rendering legal assistance to really poor, free of any change.
2. He shall help the local bodies to function on sound lines.
3. He shall provide legal education to the illiterate and working people.
4. He shall settle petty disputes by amicable settlement.
5. He shall fight against social ills.
6. He shall work with social welfare committees to promote a social order.

Relationship with the Court

1. An advocate shall be straight forward in arguments.
2. He should have sense of humour and pleasing manners.
3. He should not mislead the court.
4. He must be tactful in presenting the matters.
5. He shall not influence the decisions of the Court by any illegal or improper means.
6. He shall attend the court in the prescribed dress. He shall not wear a band or gown in public places other than in Court.
7. He shall conduct himself with dignity and self-respect.
8. He shall not criticise the judiciary with malice.
9. He shall not plead in any matter in which he is interested.
10. He shall not stand as a surety for his client in a Court.

Relationship with the Client

1. An advocate shall fearlessly uphold the interests of his clients.
2. He shall fairly and reasonably submit the case on behalf of his client.
3. He shall pay attention which he is capable of giving to the case he is dealing.
4. He shall not act on the instructions of any person other than his client or his authorised agent.
5. He shall not ordinarily withdraw from engagements once accepted without sufficient cause.
6. He shall not do anything whereby be abused or taken advantage of the confidence reposed in him by his client.
7. He shall not accept a fee less than the fee taxable under the rules when the client is able to pay the same.
8. He shall not adjust fee payable to him by his client against his own personal liability to the client, which liability does not arise in the course of his employment as an advocate.
9. He should keep accounts of the client’s money entrusted to him.
10. He shall not lend money to his client for the legal proceedings in which he is engaged by such client.
11. He should not disclose communications made to them in course of their professional engagement even after the case is over.

**Relationship with Opponent Party:**

1. An advocate shall not communicate or negotiate upon the subject matter of controversy with any party represented by an advocate except through that advocate.
2. He shall not mislead an opponent. or put him on the wrong scent regarding any point in the case.
3. He shall do his best to carry out all legitimate promises made to the opposite party even though not reduced to writing.

**Relationship with Colleagues:**

1. An advocate shall not solicit work or advertise directly or indirectly through mass communication.
2. He shall not pursue his profession in a spirit of competition or rivalry with his brethren.
3. He should be courteous to opposing counsel.
4. He shall not enter appearance in any case in which there is already a vakalatnama or memo of appearance filed by an advocate engaged for a party except with his consent.
5. He shall not envy another advocate who attains to position and rank and earns well.

6. A younger advocate must be cordial in relationship and pay respect to senior advocates.

7. He shall be ready to give help and advice to brother members.

8. He shall strive at all levels to aid all the legal profession in advancing the standards of members of the profession.

**Legal Literacy Through Camps by Legal Services Authorities:**

Every person in society is expected to know law and ignorance of law is no excuse. On acquiring the legal knowledge the personality of individual would be moulded making him the most civilised person in society. Legal services authorities organise legal literacy camps especially in rural areas, slums and labour colonies with the dual purpose of educating the weaker sections of the society as to their rights as well as encouraging the settlement of disputes through Lok Adalats. They take appropriate measures for spreading legal literacy and legal awareness amongst the people and in particular to educate weaker sections of the society about the rights benefits and privileges guaranteed by social welfare legislations and the enactments as well as administrative programmes and measures.

Law graduate students members of Bar Councils and Judges participate in these camps and provide the masses the legal knowledge and make them aware of law.

The legal literacy camps are directed towards achieving the following objectives:

**i) Awareness :** To help social groups and individuals to acquire an awareness of their rights privileges and benefits and sensitivity to the laws applicable to them.

**ii) Knowledge :** To help social groups and individuals to gain a variety of experiences and acquire a basic understanding of law which is helpful to them to solve their problems.
iii) **Attitude** : To awaken them from meek surrendering nature before the superior class and change their attitude to fight injustice done to them legally with the help of the provisions of statutes.

(iv) **Participation** : To make them utilize the legal aid available to them to fight against injustice done to them.

The Legal Service Authorities conduct camps in the areas where the rural people depressed class people live to create awareness about various laws. The Legal Service Authorities involve the NGOs to participate and help in conducting the legal literacy camps.

**Legal Aid to the Poor and Weaker Sections of the Society by Legal Services Authorities and Advocates :**

Article 39-A of the Constitution of India provides equal justice and free legal aid to provide equal opportunities for securing justice to the citizens of economically poor or of other disabilities. The C.P.C. and Cr.P.C. also provide for free legal aid to the poor. The Advocates Act. of 1961 also contains provisions for legal aid and for the constitution of Legal Aid Committees. The Legal Services Authorities Act. of 1987 has been enacted to provide legal aid services to the poor and needy people of society. The National Legal Services Authority has been constituted to provide legal aid. Supreme Court Legal Services Committee, State Legal Services Authorities, High Court Legal Services Committee, District and Taluk Legal Services Authorities have also been constituted to provide legal aid. Legal Aid Fund has been provided to meet the needy expenditure for this free legal aid.

The following persons who have to file or defend a case shall be entitled to free legal services :

i) a member of a Scheduled Caste or Scheduled Tribes; or

ii) a victim of trafficking in human beings or beggar; or

iii) a woman or a child; or

iv) a person with disability; or
v) A person under circumstances to the underserved want such as being a victim of a mass disaster, ethnic violence, caste atrocity, flood, drought, earthquake or industrial disaster; or
vi) An industrial workman; or
vii) In custody, including custody in a protective home or in a juvenile home or in a psychiatric hospital or psychiatric nursing home; or
viii) In receipt of annual income less than rupees nine thousand or such other higher amount as may be prescribed by the State Government.

Thus, legal profession deals with to the needy members of society.

THEORETICAL SUPPORT:

Occupational choice theory:

Theory is a very important part of any research study. It indicates the base of the particular study. So, I have selected occupational choice theory for my research, because I find this theory suitable for my research, and this is the base of my research work. In this occupational choice theory, many theories are there, but here I have discussed here theories which are related to my research work, and referred other theories also of the occupational choice theory, and adopted in my study. Then I have adopted feministic ideas supportive for my research study, and the whole study is based on and supported by the broader feministic approach.

These mainly focus on issues such as:

a. How close connection one feels to exist between personal merit and social success.

b. How much one expects one’s opinions and wishes to be taken into account in one’s occupation.
c. The image of society one posses, that is whether one sees society as divided into two basic powers and status groups or as series of layers between which movement is possible.

The problem of getting the right people into a right job or one that is right for them depends on occupational choice. The problem is related to the availability and variability of modern occupational system. Long established occupations are obliterated by new techniques of production and distribution. New occupations supersede them. Every person has a unique constellation of attributes between which a dynamic relationship exists. Education, training and work environment must fit into these attributes if one is to be happy with the occupation, which one has chosen.

E. Ginsberg and associates (1951) identify three common approaches to the theory of occupational choice. The first is that people “accidentally” take up a job without really intending to do so. They take it up in an unplanned way without really intending to do so. They are influenced by many external factors or ‘opportunities’ and options, which come their way. This is accident theory.

The second contention is associated with psychoanalysis, where in one may take up an occupation on an "impulse". Here one may be attracted to a job because he thinks that, It is best and suitable one to take it up. This is an impulse theory.

A third approach is associated with vocational guidance. Here one is prepared to take up an occupation through proper training, advise, guidance, and interest. Vocational councilors in most modern societies help people to 'take up the right job according to their aptitude.

In conclusion Ginsberg, states that an occupational choice is not a single decision process. One may change one’s choice after some time in preference to another type of occupation. Therefore, he concludes by saying that occupational choice is a series of decisions one takes when taking up jobs or changes in occupation from time to time.
In another theory of occupational choice Peter M. Blau and associates (1956) present a framework for understanding of occupational choice that includes several factors such as psychological, social, and economic variables. Here they have studied a large sample of workers and have found out why they choose a particular job in preference to another. Understanding why people get into a particular occupation requires understanding their personality development. Here they underline the fact that the social structure has a dual importance in society and choice of occupation. First it has an influence on the person opting for a particular job as it influences the personality development of the chooser. Secondly it determines their socio-economic background. It affects an individual’s interest, skill, and preferences past status in the social structure. But educational opportunities and the requirements for entry into an occupation are determined by the structure then current.

Janis and Mann (1968) have suggested five phases in a sequence through which a person moves while taking a decision. These are as follows:

a. **Stage of Appraisal of a challenge**: An individual is exposed to information, advice, influence or challenge which will act upon him to prevail upon him to think in terms of whether he should continue with his occupation or change it. This may result in personal tension and the new stimulus for change. Here, he assesses the current plans and commitments in continuing in his present occupation.

b. **Stage of alternatives**: Here an individual proceeds to evaluate the possible alternatives available to him for a possible future course of action. He then assesses the losses he may have to encounter if he changes his occupation for another.

c. **Stage of Selection of Best Alternative**: He proceeds to a more thorough evaluation of surviving alternatives in an effort to select the best available. This is particularly so when there are a large
number of alternative opportunities available. He may become sensitive to the information available in order to help him select the best alternative.

d. **Stage of Commitment**: After coming to a conclusion a person may announce his intentions and future course of actions to others, who may be his friends or advisors. He may look to them to support his decision.

e. **Stage of evaluating negative feedback**: Here he evaluates the negative opinions of others for choosing an alternative occupation. He tries to minimize his losses, ignores arguments and continues to strengthen his decision.

Janis and Mann observe that these five stages represent the past, present and future decisions. Thus they stress that this involves internal conflict until a decision is taken.

A number of women lawyers who entering into the occupation should acquire the right education, training, skill, and preparation. W.M.Williams (1974) defines that in a society where occupational fate depends upon education, one of the major turning point in one's personal life is the decision which one takes to what course of specialization one chooses in school and college. This is followed by the second stage of choosing which university one wants to go because it is immediate to the entry to an occupation. This decides the type of occupation one prepares oneself to take up after post graduation. Similar crucial decisions are taken even after one enters an occupation, whether to continue in it or to choose another.

Musgrave P.W. (1974) says that socialization plays an important role in the theory of occupational choice. In this process a child begins to cultivate an ambition to achieve some occupational status in life and generally works towards achieving it. Ever since childhood and more especially since adolescence an individual begins to build up notions of his occupational career. Musgrave further identifies four stages during which the choice of occupation becomes crystallized in
the mind of a young worker. These are (1) pre-work socialization (2) entry into labour force (3) socialization into the labour force and (4) change of job until one fits into a proper one.

Form and Miller (1949,317-329) outline three important stages during which an individual begins to perceive the choice of his career, which not 'very much different from what has been underlined by Musgrave. These are (1) the initial period while still in school (2) the trial period when a young worker just out of an educational institution looks around for a job and (3) the stable period when a worker finally finds the nature of occupation for which he feels he is best suited and remains in it.

Blau and associates conclude that occupational choice is motivated by two factors such as (1) An individual’s evaluation of the rewards offered by different alternatives, that is, his hierarchy of alternatives. (2) His appraisal of his chances of obtaining the occupation of his choice in terms of his qualifications and aptitude. The course of action taken by him in selecting his occupation depends upon compromise between his preferences and his expectations. His actual choice will not be identical with his first preferences and his expectation, of reaching the preferred goal is very low. Thus, the compromise is continually modified up to the time of actual entry, since each experience in the labour market affects his preferences and his expectations. Thus, each decision is governed by the way in which one compromises one’s ideal preference with one’s actual expectations of being able to enter a given occupation. Therefore, many are not accepted; others quit after some time or they are dismissed after some time.

Occupational selection also consists of successive decisions by employers or selectors about applicants for a particular occupation. The decision is determined by the ideal expectations regarding a candidate’s qualifications.
Occupational choice involves a series of complex variables such as aspirations, peer group influence, preference, self-discovery, influence, opportunity and experience.

Julienne Ford and Steven Box (1974:112) while studying the probability choosing an occupation observe as follows: “(1) In choosing between occupation, a person will rank the occupations in terms of the relation between his values and the perceived characteristics of the occupation; the higher coincidence between the characteristics and his values the higher the rank. (2) The higher a person perceives the probability that he will obtain employment in the higher-ranked occupation, the more likely is he to choose that occupation”. Thus all occupations are often chosen due to situational contingencies a many times an occupation is sought after through a conscious decision.

**REVIEW OF LITERATURE**

In India, the development of the middle class professions is a mid-eighteenth century development. With the arrival of the British in India, a process of modernization was set into motion. The Government was in need of educated men to man several posts of the lower cadre, especially clerical staff. Those who knew English language found steady employment in the government. Thus a cadre of clerical staff came to be first created. The upper castes that were educated found ready employment in such cadres. However, the entry of women of the middle class into professional occupations is a post-independence phenomenon. It was only after independence that middle class women started coming out of their seclusion and began actively participating in vocations that were largely the monopoly of males.

Although a large number of women from the neo-middle class attended schools and colleges as a consequence of the new educational policy of the British, they did not have the courage nor the encouragement to venture out readily to take up jobs suited to their
qualification and training. Such was the hold of tradition over the Indian educated woman, that it was unthinkable for educated women to seek a salaried job outside the house. However, the control and sway of tradition over society in the matter did not last very long. A number of forces conspired to radically change the society and the way of thinking of the educated people in the country, bringing about a vast social change.

Today in fact in India, a separate field of "Women' Studies" is gaining importance and momentum as field of academic study.

**Thompson and F. Malison (1953)** have seriously questioned the compatibility of the employment of women especially of mothers with a satisfactory family life and with a proper psychological development of children. They have stressed that the domestic responsibilities of women workers adversely affect the quality as well as the nature off their work.

**Eleanor and MacCoby (1960)** have also described the effect a mother's career has upon the children when she is absent during all or part of the day. She observes such children are more prone to delinquency, long absences in school and are also unable to concentrate on studies, consequently obtaining low grades. In school the children experience adjustment problem and show a lack of achievement motivation.

**A. D. Ross (1961:198)** in her study of “The Hindu Family in its Urban, Setting”, explains how a wife being gainfully employed is no more considered undesirable by the society as she is given respect as an income generator. Further she writes that the main reason is that so many married. Hindu middle class women work without reproach is because everyone understands the economic problem of the middle-class, and that a wife’s income is often essential to the family’s standard of living. She further notes many educated youths prefer educated wives who may later opt for a career.
Vasanta Kumar (1964: 12-13) in her study reveals that the strain of work at home and office, coupled with lack of household help, contributes to make even trivial incidents a major causes of irritation for working women often having serious repercussions on marital life of the respondents.

Vasantha Kumar (1964: 12-13) in her study also reveals that the strains of work at home and office coupled with lack of household amenities and vanishing domestic help contribute to make trivial incidents major causes of irritation, for working women.

C. F. Klein (1965) has found in her study of married working women that despite the growing absorption of women into the folds of gainful employment the lives of married women continue to be predominantly governed by their role as wives as regard the home and family as their man responsibility.

In another significant study Promilla Kapur (1969: 39-67) has made an attempt to study and analyze the various aspects of working women's life, particularly with regard to the balancing of their career with domestic life. She has also focused in this study important data on the upbringing of younger children by career women. It is a well-known fact that children require the company of their parents more particularly of their mothers in their early childhood. The author has observed in her study the role of conflict experience by nurses, social workers and researches in Delhi city. With regard to their family responsibilities it was found that all these women experience great difficulties in combining their professional work with their personal work as career women and as working mothers as their jobs entail odd hours of work and sometimes long absences.

Several studies on the problems of working women in western countries are also available as working women even in the west also face many difficulties.
S.R. Orden and Bradburn N.M. (1969:382-407) have found that a woman's employment may also strain the marriage only when there were pre-school children in the family. They concluded that the women's decision to work is associated with a high balance between satisfactions and strains for both spouses.

P. Kapur (1970) in her book on “marriage and working women” she has pointed out some pertinent problems, especially with regard to the great problem of inadequate public transport for working women. Apart from other strains created by inadequate bus service, if a working woman is delayed in returning home, there is always the fear that her reputation may suffer while returning late nights-from office. She is likely to become the center of gossip by the neighbors and is may be accused by husband and in-laws of having a good time with her male friends at work.

The above problem of inadequate public transport facility for working women has been highlighted by some other studies and surveys. (CF Hindustan Times 25 September 1972). In a place like Delhi, because of inadequate D.T.C. service. Women find it very difficult to travel and reach the working place on proper time. They have to rush down and almost push others to catch a bus. As it is, it takes such a long time waiting for the buses that after the long office working hours at least another two to three hours are wasted in travelling by bus. For a woman who has household responsibilities to carry out, to be away from home for such long hours is mentally and physically very tiring and strenuous as well as inconvenient and irritating.

Promilla Kapur (1970): in her study of the impact of the absence of mothers pursuing a career observes that the absence of appropriate managements for the looking after of children in the absence of working mothers is yet another source of role conflict and tension. A number of respondents in the author's study reported that an intense conflict was experienced by them when they had to leave
young children at home in the care of untrained and unreliable maid-
servants or relations, and this disturbed their concentration at work. 
In the event of a child's sickness or of being hurt they find it difficult 
to concentrate on the work they do.

Pramila Kapur (1970: 25) observes, "The phenomenon of the 
increasing number of educated working wives is a feature of modem 
Indian society. It has for its mainspring the growing economic 
necessity for the wives to contribute their earnings to the family 
income. Since marriage is not a spiritual communion in a vacuum, 
but a union of two human beings who need clothes, food and a place 
to live, material foundations are indispensable and a wife's 
participation in procuring the required family finance becomes 
essential in times of economic hardship. The attitude of society 
towards married women taking up jobs has also changed".

In the beginning, women were supposed to take up only those 
jobs or occupations, which were considered by the society to be 
respectable like those of teachers, doctors, or secretaries. But 
conditions are changing rapidly. Very soon the middle class women 
stepped out of a cloistered environment and started serving in offices 
as clerks and in various other capacities.

Promilla Kapur (1970:20-21) has explained that when 
educated married women take up employment, it is liable to affect 
their entire personality and affect their martial and family life. This is 
because she has to perform two roles, one as a housewife and the 
other of a wage earner. Both these roles make demands on her time 
and energy and she is quite often balances the dual roles. There have 
been a number of speculations about the probable effect of the 
additional role-working women on her martial and family relationship.

According to Promilla Kapur (Ibid) another source of tension 
and conflict has been found in the role structure itself. It has been 
found that even in families where the house wife is engaged in equally
paid gainful employment as her husband, the obligation of carrying out household responsibilities falls almost exclusively on the wife. By and large, husbands consider household chores and care of children to be the sole duty of the housewife, even where both the husband and wife have similar working hours of work. Men still consider that their duty is only to earn and that carrying out, or even helping the wife, is not their responsibility. (Ibid: 1970: 307-49).

Further the author explains that carrying out almost single hand all the duties and the responsibility of home over- strains working women and makes her tired and irritable. This in turn is liable to make her company unpleasant and enjoyable for her husband and children.

Promilla Kapur (1970:411) has paid greater attention to the husband wife relationship in her attempt to get at the factors that contribute towards marital adjustment or mal adjustment of the urban educated working women in India with regard to the husband wife status. She observes that it is not the fact of wife's having subordinate on unequal status to that of their husband in the family that affects her marital adjustment but the conflicting and incompatible attitude of spouses towards their own and towards each others status and their conflicting or irreconcilable demands and expectations with regard to this that lead to marital discord on the other and accordant attitudes of their status facilitate marital harmony.

Richardson J. G. (1970: 63-72) has examined the hypothesis that marital stress would be more if working wives have higher occupational prestige than their husband. He found no support for this hypothesis and suggested that its mythic content may be sustained in part because it is congruent with conventional sex role orientations.
Epstein C.D. (1971:549-563) has indicated that dual career individuals experienced guilt because they were not conforming to the socially approved work family structure. Further professional women of tend to deal with the implied or overt social controls placed on them by their children.

Zarina Bhaty (1971) has indicated the problems of working women who leave their children in the care of others when they went for work. This often led to the improper socialization of children. This is particularly due the lack of the presence of the mother when a child needs her the most, especially when the child needs sympathy, or to confide his/her worries or to share a confidence.

Studies on working women experiencing role conflict such as those of Mahajan (1966) Kapur (1969, 1970, 1973) and small scale surveys like the one conducted by Eves Weekly (1973: 38-39) point out how women even when they are in highly skilled and technical jobs and holding very responsible posts cannot get over their consciousness about their duties and obligations at home such as towards parents, husband and children. They cannot avoid thinking that they have not been able to do justice to their family household duties and specially towards children. This creates a problem of inner conflict and tension which they experience, particularly if they are very keen to run both their home and career extremely efficiently and are desirous of paying equal attention to their home and work. Tension is more in such cases, where the wife has to devote more time and energy to her too absorbing or too occupying job or profession because of its immediate compulsion. She feels that her husband, home and children are being neglected because her unusual job or employment.

Some studies have shown that there is a relation between working women and the fertility rate. Many families have adopted the two-child norm where the wife also works. This is because upbringing children in a working environment is often difficult.
C. F. Rai (1972: 146) while studying the working women’s life, explains that many prospective job providers are wary of employing women, especially married women because women may take a prolonged maternity leave that eventually comes in the way of the progress in the profession.

The author represents the case of an I.A.S women officer in the south who had two babies in quick succession and who took prolonged leave because the mother in her got better of the efficient officer. When she returned to work she was greatly frustrated to find that her colleagues had been promoted to a higher position. She could not make an issue of it because she had not put in the required number of years for promotion due to prolonged maternity leave.

Dhingral (1972:198) and others have thrown light on the social and behavioral pattern and the attitudes of the working women. The wife’s participation in obtaining the required family finances many times becomes essential to overcome economic hardship. Indeed, the main reason that so many married Hindu middle class women work without reproach is because every one understands the economic problems of the middle class, and that a wife’s income is often essential to the family’s standard of living.

The economic compulsions have necessitated a change in the traditional attitude and outlook of educated women. This has been pointed out by also by Dr. McCormack’ (1960)). The main conclusions of his study are:

1. The joint family is changing gradually.
2. Women’s preference for higher education is increasing.
3. Women’s awareness in the field of politics is increasing.
4. The basis of selection of mates is changing.
5. There is a steady rise in the marriageable age.
6. Women's education is expanding and of girls co-education is receiving preference.

Regarding the economic conditions of the women, Hates' (1980: 240) finding is that:

1. Participation of women in economic and social work is increasing.
2. There is a growing tendency among educated women to marry late.
3. The satisfaction of married life among educated working women is high.

Thus, we find that today the social and economic situation has changed significantly. Today many more educated women seem willing to take up white colour jobs.

Dhingra (1972) has also found in his study that without help, the married working women were experiencing substantial difficulty in carrying out their household duties, and duties of their wife role adequately including the care and attention given to the husband along with their jobs.

Worsley (1972:270-1) and Meyers (1971) have studied the problems of women’s employment in London. They point out that the norm is still for a wife, and especially for a mother, to take care of the needs of the family first. If the husband is transferred or moves to another place, which is more convenient or his career, it is the wife who is expected or move to the place of her husband’s work and to drop her own career to support his. In times of family emergencies it is most likely to be the wife who must take time off her job. She is expected to drop work when the children are young or when extra help is needed in the home even if she could offer to have adequate domestic help. For a wife it is her career that is fitted into interstices of duties at home.
Bebbington A.C. (1973; 530-37) has noted that role cycling unlike other source of strain has developmental pattern. Both employment and family careers have transition points at which there is restructuring to roles which become source of normative stress.

Promilla Kapur (1973) reports that many working women whom the author interviewed for her studies had to face certain difficult situations and confusions while working with men. In the case of a woman worker and also being an efficient one at that, often creates tension when working under a male boss. If she shows more attention and appreciation to her male colleague or boss, or she is too polite and courteous, it is often misinterpreted that she is doing it for the sake of promotion of career. He is also liable to take advantage of his position and official status and exploit her. It generally creates tensions and conflicts both within herself in the form of guilt complex and outside in her home life. Her colleagues in the office begin to look down upon her for her intimacies with her boss. On the other hand if she does not please and boost the ego of her boss and keeps herself confined to her work, the result is that she is likely to jeopardize her career and promotion.

Ridley C. A. (1973: 229-237) has observed that marital adjustment is highest when the husband was medium and wife was low on job involvement. He concluded that tensions in the marital relationship may occur when either partner becomes, so highly involved in a job that family obligations are excluded. Occupational practices such as discriminatory sex role attitudes can also heighten the stress in the dual career marital relationship.

Aileen Ross (1976) in her article on the "Changing Aspirations and Roles: Middle and upper class Indian women" has also pointed out that the rise in the cost of living has made many middle class Indian families feel that they must have two salaries per family. As a result, by the late sixties the idea of middle class women taking up salaried jobs spread rapidly in India. In 1966, nearly 97 per
cent of a sample of college women at Punjab University, Chandigarh wanted to work after finishing their college studies, rather than getting married and settling down to domestic life. A similar study by Goldstein (1972) found that 85 per cent of graduate college women in Bangalore also preferred to take part in employment rather than staying at home.

The observations have been made by the National Commission on Labour (1964: 23). "The spread of education particularly in urban areas has opened up more employment opportunities for women in non-manual clerical, administrative and professional work. The largest expansion of opportunities has been in involvement service."

The Report on the Committee on the Status of Women in India (1975) explains the situation thus: "The low proportion of women in the higher ranks may be a reflection either of prejudices and discriminatory recruitment policies or lack of career commitment on the part of women. Disparities in the proportion of men and women at different levels of responsibilities are important indicators of the unequal employment status and opportunity and a combination of factors such as that of the educational system training, job orientation and cultural condition".

Campbell A.P. (1976: 424-25) has describes the positive and negative effects of a wife's employment on her marriage and the family. The evidence presented by Campbell and his associates shows few if any important differences between working and non working wives in these matters. We find little reason to believe that on the average employment outside the home either enhance or diminishes a marriage.

Kala Rani (1976) and Kapur (1974: 29-30) have made an attempt to study and analyze various aspects of working women. The role of working women to the set of their traditional roles of a wife and mother does produce conflict and tensions within her in account of her desire to carry out her dual responsibilities of home and work.
efficiency. It creates the problem of readjustment in her whole set as well as in the expectations of the members of her various roles sets. And their jobs demands maximum concentration involvement and time investment. It results into serious problems, role conflict and dilemmas of working women.

**Raport and Raport R.N. (1976)** have explained that although intellectually the dual career pattern is approved and internalized values, from early socialization traditional values are still strong and produce tension anxiety and guilty.

**Hollaman and Gilbert (1978), Mechanics (1983) and Scarr (1987)** have explained that when women have multiple roles, they always experience greater inter role conflicts. Overload of work is generally because of women’s greater family responsibility. Evidences show that even when both the spouses work, wives have to perform a disproportionate share of child care and household chores regardless of their social position. It creates problems for her.

**Marks (1977), Barach, et., al (1987)** stated that, working women frequently carry the stress and strain created by domestic burdens to their job situation rather that the satisfaction and joy derived from work into family life, others attempt to compartmentalize their work and domestic work though not successfully.

**Heckman N.A. (1977 : 323-30)** has observed that the overload and strain is a significant issue for dual career women. While assessing problem areas for dual career couples he found that the women reported more problems in more areas than men. They concluded that the continued existence of role conflict and over load strain are often at the expense of the women's personal identity amid career aspirations.

**(Srivastav (1978)** found that in certain situations the rate of female participation in the labour force increases with the general prosperity. Perhaps this is due to employment generation when a large
number of jobs become available to the educated that seek employment. Thus, educated women find career options available to them.

In view of such observation, it may be said that economic factors are important, but not necessarily a sufficient condition for women to join the labour force. Although marriage, number and age of children and dependency status are other factors, which determine their work participation, higher educational qualifications may be an important factor to impel women to seek employment. A change in the occupational composition may also bring about a change in the female labour force participation. Industrialization and urbanization also create conditions that are favourable for the employment of women.

**John Bursons (1978; 142)** has observed that dual earner couples may increase the degree of strain they themselves experience in an attempt to prevent creating a strain for their children. According him, some of the social strains working couples experienced were due to their sense of responsibility to their children. There is no evidence to suggest that a dual career by itself is stressful for children. What may be more significant for children is the degree of stress experienced by the parents, which may indirectly affect the children.

**Subsequent studies (Chakraborty: 1978; I. Kaur: 1983; I. B. Devi: 1987; Reddy 1986; and Dak: 1988)** have reiterated the fact that higher education is a prime factor in motivating women, to seek a career. It is also pointed out in these studies that today a large number of women have been going in for technical education such as Engineering, and professional education such as Medicine, Dental Medicine, Business Management, etc., which makes them" qualify for high profile jobs.

Women in many middle class families in India find employment in order to raise the standard of living so that the family is able to afford some of the desirable goals, which they aspire for. However
among many of such middle class families some of the traditional values have not been completely eradicated leading to conflict between traditional role and that of a modern career woman. They experience role conflict and marital stress mainly because husbands do not alter their domestic roles. A recurrent theme in these studies is the dilemma that wives or mothers experience by virtue of their employment.

**A. Ramanamma (1979: 79-80)** has observed that, women who pursue a career have to stay outside the house for long hours and find it difficult to devote enough time to their children. This is the greatest problem the employed mothers have to face: They entrust their children to servants.

**Hearriman (1983), Belskig, et.al., (1980):** explained that the working women of the present generation are put to multiple roles such as mother, housewife, in-law, care giver, employee etc. and that these roles and other responsibilities are thrust on them by society as they have to discharge all these responsibilities as part of their duty. It is also considered that these are all normal and routine work and nothing extra-ordinary. But it must be understood that such stiff responsibilities often lead to severe depression, unhappiness and mental tension. This also affects the general well being. Women experience more changes than men, in their transition to parenthood and the subsequent stress affects the working women and their infants, more than it affects the husband.

**William J Goode (1987:135)** described the effect of working women on marital adjustment. He says some studies report that husbands of working wives experience less satisfaction with their marriage and a generally lower mental and physical well being than husband of whose wives stay at home. Working women are less willing to remain under the control of their husbands and want to have an independent base for their lives.
William Goode (1987: 137) has described the effect of working mothers on the children. The children of working mothers develop many psychological problems that are more prone to various kinds of deviances than children whose mothers stay at home to supervise them. Many children object to ‘their mothers’ working because they feel deprived of her attention.

Further she gets less time to spend with her children and this makes her feel guilty of neglecting them. In case she leaves her children with her in-laws she feels under obligations to them, and if she leaves them with maid servants or at creche she constantly worries about them.

Snapp (1992) has explained occupational stress, social support and depression among black and white professional managerial women. This study employed a quote sample of 200 black and white professional managerial women from the Memphis Tennessee, area to explore the relationships among occupational stress, social support, and well-being. Data was collected from directly face-to-face and interviews. Depression was measured using the centre for Epidemiologic studies depression scale (CESD). Social support for one’s career was assessed from three sources. Family, friends, and co-workers. Measures of occupational stress included work load, unfair / impersonal treatment, and trouble with boss or subordinates. Using multiple regression techniques, the findings of this study indicate that there are complex differences in level of social support, occupational stress, and depression across social structural dimensions race, class background, supervisory status, marital status, parental status for this sample, including significant two and three way interactions. Trouble with boss or subordinates was also found to be related to levels of depression. Career support from friends, co-workers, and family on the other hand, did not directly benefit the women’s well-being or lessen the damaging effects of interpersonal job conflict on their mental health.
Soumi Mitra and Sen (1993) in their work found that male and female executives differed significantly on role ambiguity, role conflict, inter role distance, future prospects, and human relation at work and feminity and masculinity dimensions. Male executives with masculine sex role orientation faced greater job stress and anxiety than females possessing an androgynous personality. Authors attributed this fact to greater reluctance to self disclose among men and different socialization patterns laid down for both men and women in Indian society.

Sanjay Ketan: (1993) in his study “Working Women and Modernization” observed that the modern concepts like entry of women in different jobs and equality of status between sexes have been acceptable to a large number of women in the sample. They wanted jobs mainly to have economic independence and to improve the family income. A high percentage of unmarried women preferred to continue in their jobs even after marriage.

A Kinnusi (1994) defined that women have less of type ‘A’ personality and show greater behavioural stress than men. Educational attainment and level in the organization are positively related to organization of stress, while marital status is negatively related to stress. Women tend to relieve stress by exercise, smoking and drinking.

Pratiba Jain and Rajan Mahan (1996) both explained the status of women in past years. This anthology has emanated from our growing realization that cultural ideas, symbols, values, and more have played a crucial role in the creation of women images and the reinforcement of gender dichotomies.

Sanjay Kumar (1997:76) in his study showed that many families in Kerala have a single child, where the mother is also working and where the family is nuclear. However, in those states where the fertility is normally high, such as in Madhya Pradesh or Uttar Pradesh, the trend is to limit the children to two.
Taylor (2002) in his work defined, female police officers in Texas: Perceptions of colleagues and stress. The purpose of this study was to examine the perceptions of Texas female police officers toward their colleagues. Further, the study measures respondent’s perceptions regarding work related stress. An independent sample t-test analysis was conducted while controlling for the percentage of female officers working at participating Texas law enforcement agencies. Overall, the findings suggest that the percentage of female officers employed in a particular law enforcement agency did not produce a statistically significant impact on respondents perceptions of their male / female counter parts or stress-related issues.

Berntsson et al (2006) brought to light the gender differences in work-home interplay and symptom perception among Swedish white collar employees to analyse gender differences in paid and unpaid workload and symptoms in matched groups of Swedish white-collar workers with children. Paid and unpaid work load and perceived stress from paid work, conflict between diamonds and control over household work were measured by a total workload (TWL) questionnaire. Some symptoms were rated with regard to frequency and severity as a measure of health. Cross-sectional analyses were performed. Matched groups of male (n=440) and females (n=529) well-educated white collar workers in full-time employment, aged 32-58 years and living with children in the home women in higher positions in Sweden were found healthier than the average population of women, but reported more symptoms than men in the same position as well as more stress from paid work. More conflict between demands and a greater TWL. However, women also reported more control over household duties and TWL was not associated with more symptoms. Men were mainly focused on their paid work role and perhaps even more so than men in the general population as they were fairly resistant to feelings of conflicting demands.

Even among matched groups of full-time employed, well educated men and women, traditional gender differences in division of
responsibilities and time allocation were found. Even though the women were healthy at this stage, they might risk future ill health, owing to high work load, stress and feelings of conflicting demands.

**Monica Chawla - (2006)** has explained in her work, that women have always been discriminated and are suffering discrimination in silence. Self-sacrifice and self-denial are their nobility and fortitude, and yet they have been subjected to all equities indignities, inequality and discrimination. Further she has given enactments which intended exclusively for women to uplift the dignity and status of women in society.

**Seema Sharma and Kanta Sharma (2006)** have explained that, when working women, participates in different positions, they face many problems, in society. Though women are discriminated in walks of life. Working women face many problems. Despite statutory provisions for their safeguarders, the problem remains unresolved. According to them, the harsh truth is that Indian society has not recognized women as its bonafide member. She is still a second rate citizen, inferior to man. In fact, in a male dominated world women folk are kept at the second fiddle only.

But inspite of all the roles played by her, woman is a neglected and discarded, soul. For a century or so, the climate has changed for better. There has been talk of women liberation and women’s special rights. At least, now we have accepted that the women are also human beings and they should be granted the status, equal to man.

Further the authors have discussed about problems, achievements of political personalities, specially women’s participation in political sector. The movement for women’s liberation, empowerment and emancipation has come a long way in the world and in India it is gaining ground, quite rapidly.