

A systematic review of the structural and societal barriers faced by the female advocates and the factors that affect advocate's professional competence

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Abstract: Education is a key element to form the most dramatic changes in society. From the Vedic period to the 21st century, legal education plays an important role in maintaining the principles, regulations, and rules in the diverse society worldwide. However, one of the most pressing issues that remain in the legal field is gender disparity. Surprisingly, in the legal field, women lawyers faced so much vulnerability in their work-life. Therefore, there are various policies that are provided by the Supreme Court of India parties focused on the law and interpret the doctrine of equality. Legal education is the study of knowledge, skills and practices about the law and ethical justice. The main purpose of this review study is to find out the factors that affect an advocate's professional competence and also find out the structural and societal barriers faced by the female advocates to upgrade their professional competence. In this study, the relevant data was collected through various journals, research articles, and thesis from 2000 to 2025. The study revealed that women advocate significantly faced various structural and societal barriers that largely impacts their professional competencies viz. work-life balance, unequal opportunities, pay disparities, under valuation, stereotype attitude, and gender bias. There are several factors that affect advocate's professional competence such as legal knowledge, analytical and logical thinking abilities, listening and communication skills, honesty, integrity and patience, and time management.

Key Words: Professional competence, Advocate, Structural barriers, Societal barriers.

Introduction

Education is a major key element to change the overall structure of the society. Through education the social system works effectively. In the new NEP 2020, the government includes an interdisciplinary education system, that enlarges the scope of the education system. Legal education is also an important part of the education system. Legal education refers to the study and trains individual in the principals, theories, practices, skills and knowledge of law to develop the ability of legal reasoning, understanding, legal systems, skills to serve clients effectively and uphold justice. Professional competence of a lawyer refers to integrating the system of knowledge, skills and providing ethical judgement to perform legal services effectively and ethically. In the field of legal education, legal professionals refer to the advocates, lawyers, judges, prosecutors, notaries, and solicitors. In India, legal education initiated with Ancient Dharma Shastra studies in 1855 in the city of Bombay, Calcutta and Madras. The major objective of these inclusions is to train English speaking lawyers for British Colonial courts. In the Mughal period, the courts and Islamic law system existed, hence structured legal education remained limited. In the post-independence period, through the Bar Council of India (BCI) Advocates Act, 1961, the overall curriculum, standards and qualification was formed nationwide. In the modern education system, both 3-year LL. B and 5-year integrated degree exist to study legal education. Yadav and Kumar (2025) in their study Empowering Indian legal education: integrating clinical training and trial advocacy for social justice and professional excellence, examined the historical evolution of legal education in India, from colonial rote-based learning to modern experiential models that driven by the National Law Universities and the Bar Council of India reforms. The study revealed that several challenges such as resource constraints, inconsistent implementation and cultural barriers, proposing strategies like faculty development, regulatory reforms, and community integrated clinics, Seth et al. (2022)

in their study Empirical study on women lawyers and work life balance, explored the status among the contemporary women activists on the achievement of an acceptable balance between their professional and familial responsibilities. The study revealed that women have chosen the occupation of 'advocate' with the intention of meeting the essential requirements of their families, align with their professional profile and educational credentials and also pursuing a career that is in line with their personal interests, Sharmila and Jain (2022) in their study An empirical study on the client's perspective in decision making with regard to lawyer selection for trial courts: does grey hair matter? explored the client's perception of the lawyer selection process and the significance of the lawyer's age. In this study, the mixed method research approach was used. Relevant data was collected from the trial court client. The convenient sampling method was used in this study. A semi-structured interview was employed to collect the data. The quantitative data was analysed through Pearson Correlation, regression analysis and factor analysis. The study revealed that lawyer's efficiency is a main factor considered by trial court clients for selecting their lawyers. The study also stated that there was a significant positive correlation between the age of the lawyer and the client's decision making when choosing their lawyers, Ganguli et al. (2021) in their study Gender differences in professional career dynamics: new evidence from a global law firm, examined gender gaps in career dynamics in the legal sector using rich panel data from one of the largest global law firms in the world. In this study, a cross-country variation was used to collect the data from 23 countries. The study revealed that a significant heterogeneity among countries in terms of gender gaps in promotions and wages, nevertheless the gaps that exist appear to be dealing over the period. The study also stated that women are more likely to report existing the firm for family and work life balance, compare the men report leaving for career advancement, Stanley and G (2021) in their study Professional competencies in social work students: emotional intelligence, reflective ability and empathy - a comparative and longitudinal analysis, investigated the manifestation of these competencies in women social work students in India. In this study, a longitudinal design was used. The study revealed that reflective ability scores significantly predicted the manifestation of emotional intelligence. The study also revealed that social work students had significantly higher scores than the reference group.

Statement of the problem

What are the structural and societal barriers faced by the female advocates and the factors that affect the advocate's professional competence.

Need of the Study

Education plays an eminent role for the overall development of an individual. On the other hand, legal education plays an important role in building a robust legal system through training the legal professionals with deep rooted knowledge of laws, critical thinking abilities, ethical considerations, representation and communication skills to serve the clients and uphold justice. Legal education also fosters social vision and citizenship among the legal professionals. In the legal field, legal professionals encompass various roles viz. Solicitors, lawyers, attorneys, barristers, prosecutors, judges, notaries etc in the areas of corporate, criminal and family law. Professional competencies of the legal professional are deep rooted legal knowledge, ethical integrity, effective communication skills, research skills, empathy, critical thinking abilities and continuous learning interest etc. There have been several studies that are conducted on legal professionals, nevertheless what are the factors that affect advocate's professional competence and what are the structural and societal barriers faced by the female advocates have not yet explored. To fulfil these knowledge gaps, the present study is needed to explore. The present study examines the structural and societal barriers faced by the female advocates to upgrade their professional competence and the factors that affect an advocate's professional competence.

Objectives

- (1) To find out the structural and societal barriers faced by the female advocates to upgrade their professional competence.
- (2) To find out the factors that affect an advocate's professional competence.

Research Questions

- (1) What are the structural and societal barriers faced by the female advocates to upgrade their professional competence?
- (2) What are the factors that affect an advocate's professional competence?

Delimitations of the study

- (1) The present study is delimited with only professional competence selected for this study.

- (2) The study delimited with only advocates are selected for this study.
- (3) The study is delimited with only the factors that affect an advocate's professional competence is selected for this study.
- (4) The study delimited with only structural and societal barriers faced by the female advocates is selected for this study.

Major Findings of the Study

Factors that affect advocate's professional competence

Legal knowledge: One of the major factors that affects advocate's professional competence is legal knowledge. In-depth knowledge about legal work and substantive, procedural law and also includes the ability to interpret and apply this law actively. If the lawyer gains basic knowledge of law, it's easier to advise the client and find the solution in any kind of field.

Analytical and logical thinking abilities: In the courtroom, the success of any case depends on how the lawyer pretends him/her effectively with all kinds of logic and proofs. Professional competencies enhance by the logical and analytical thoughts of the lawyer and it is very essential to expressing herself/ himself, her thoughts and arguments logically, scientifically. Legal professionals also should break down critical cases, identify loopholes, and form scientific arguments with the evidence.

Listening and communication skills: Another important factor that affects legal professionals to enhance their professional competence is listening and communication skills. In the courtroom, lawyers should communicate clearly with persuasive speaking and effectively present the statement. The advocate also listens to client needs and testimonies empathically and handles the case effectively. The advocate should undertake client objectives and fulfil client expectations.

Honesty, integrity and patience: One of the main factors that enhance a lawyer's competence is honesty, integrity and patience. The advocate must have moral character and straightforwardness. This kind of morality is a foundational characteristic to enhance a lawyer's professional competence which enables them to build a trustworthy relationship, navigate critical ethical demands and uphold the administration of justice. Honesty, integrity and patience are directly impacting a lawyer's effectiveness and credibility. Through patience, lawyers can make better decisions, manage expectations and enable them to solve the problem effectively.

Time management: Time management significantly increases competence of the lawyer by enhancing work quality, productivity, reliability and client satisfaction that indirectly develop career advancement. Proper time management or scheduling the work enabled advocates to dedicate focused, uninterrupted time to critical legal analysis, document drafting that increases accuracy and reliability of their work. Proper time management also reduced workload and burnout of the advocates.

Structural and societal barriers faced by the female advocates to upgrade their professional competencies

Work life balance: The female advocates often faced environmental and systematic challenges. In the field of legal profession, women frequently faced more work life challenges. Working women frequently bear a burden of domestic responsibilities. Moreover, in the legal field, legal professionals particularly women faced lack supportive infrastructure viz. Maternity leave policies, which causes the rise of dropout rate in the legal field. Women also faced so much prejudice for their gender wise disparities.

Unequal opportunities: In the legal field, women significantly receive very less high-profile cases and also faced lack of access to leadership positions. Which are crucial for them to their career advancement. Many legal professionals leave their profession due to the incompatibility of professional demands and unequal opportunities. Women frequently faced glass ceiling situations even with equal experience. In the legal field, women faced so many unequal opportunities such as underrepresentation in leadership, unequal pay, lack of mentorship, ineffective grievance mechanism etc.

Pay disparities: In every kind of work field, women often faced so much disparity than the other group of people. In the legal profession, female legal professionals also faced a gender pay gap in their work place. Women earn less than men for comparable work and experience, that makes financial pressure. In the legal field, women legal professionals faced persistent pay gaps. In comparison to men, women earn less for similar legal work, that exacerbated a gap by gender biased and career interruptions.

Undervaluation: In any form of professional work, the quality of a male legal professional's performance is judged solely on merit, on the other hand, a female legal professional's performance is judged through the lens of her gender and perceived domestic responsibilities. Through the concept of undervaluation,

systematically underestimate the professional competencies, leadership potential and legal acumen of the female lawyers. These kinds of barriers reinforce persistent gender inequality in the field of legal profession. **Stereotypical attitudes:** In the legal profession, assertiveness in a male legal professional is often seen as an indication of strength and authority, whereas the same trait among the female professionals may be prejudiced labelled as arrogant or aggressive attitude. One of the major structural and societal barriers for female advocates is stereotypical attitudes. In the professional field, such biased influence career advancement, high profile case allocation, access to mentorship.

Conclusion

The discipline and unity under this diverse society is maintained by some structured rules, regulations, principles, and laws. In India, from the ancient Vedic period up to the modern 21st century, the law system is upholding a major role in maintaining peace and brotherhood under this society. In the legal field, advocates and the other legal professionals play an important role in performing legal services effectively and providing justice to the needy people. The major factors that affect an advocate's professional competence are legal knowledge, analytical and logical thinking skills, listening and communication skills, honesty, integrity, patience and time management.

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