



Impact of Gender & Status of Employment on Anxiety and Aggression Among Criminal Advocates – A Comparative Study

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ABSTRACT

The present study deals with level of anxiety and aggression among would be and practicing criminal advocates. Attempts were also made to see whether gender had any impact on those psychosocial aspects. The sample size was 201 (male would be criminal advocates- 64, female would be criminal advocates- 48 and male practicing criminal advocates- 48, female practicing criminal advocates- 41). Each group consisted respondents of different age ranging between 21-30 and 31-40 years for would be and practicing criminal advocates respectively. A minimum of 2 years experience in criminal advocacy was considered for practicing lawyers. Data were collected from practicing criminal advocates and law students (those who are interested in pursuing their career only in the field of criminal advocacy). State Trait Anxiety Inventory and State Trait Anger Expression Inventory were administered to assess level of anxiety and aggression. The statistics used in the study were descriptive (Mean and SD), inferential (2X2 factorial ANOVA) and correlational (Pearson's product moment correlation). Results revealed that there is no significant difference between male and female would be and practicing criminal advocates in terms of anxiety and aggression. The present study also delineated that there is a significant correlation between anxiety and aggression among both genders' would be and practicing criminal advocates. The result of the present study can pave light for further research studies.

Key words: Employment status (would be; practicing criminal advocates), gender (male; female), anxiety, aggression.

1. INTRODUCTION

Anxiety had remained as an inevitable by-product of the day to day hectic court schedule of the Criminal Advocates especially for the defence council.

The word "ANXIETY" is derived from the Latin word *angere* meaning to choke or strangle.

Anxiety is body's natural response to stress. It's a feeling of fear or apprehension about what's to come.

The first day of school, going to a job interview, or giving a speech may cause most people to feel fearful and nervous.

The DSM has identified a group of disorders—known as the anxiety disorders— that share symptoms of clinically significant anxiety or fear like specific phobia, social anxiety disorder, panic disorder, agoraphobia and Generalised Anxiety Disorder (GAD) ^[1]. Anxiety

disorders affect approximately 29 percent of the U.S. population at some point in their lives and are the most common category of disorders for women and the second most common for men (Kay, Gorman & Elizabeth, 2008) ^[2].

Anxiety can produce both physical and psychological symptoms and can affect all aspects of life, including ones emotions, behaviours, thinking ability, and physical health.

The landmark 2016 American Bar Association and Hazelden Betty Ford Foundation study showed that, 19 percent advocates have symptoms of anxiety and 21 percent are problem drinkers. The cause of alcoholism, substance abuse and increase in the number of suicides in law institutions points to a systemic flaw in the way legal education is conducted (Richard Collier, 2013) ^[3].

In 2008, the University of Pittsburgh Law Review published an exhaustive study on law students and criminal lawyers in relation to substance abuse and mental illnesses. The study noted that addiction rates among would be criminal attorneys are higher than the rates among the general population (Rosemary, Hunter and Helen McKelvie, 1999) ^[4].

According to a recent research on law professionals by National Institute for Occupational Safety and Health study (1998) the experience in the court proceedings of criminal advocacy triggered major anxiety for Meyerhofer, who often found himself "curled up in a ball, crying, losing it." Even after he left the profession, he had panic dreams about being back at the firm ^[5].

"Aggression" is derived from the Latin term *aggrēdi* meaning **to attack**

Human aggression is any behaviour directed toward another individual that is carried out with the proximate (immediate) intent to cause harm. In addition, the perpetrator must believe that the behaviour will harm the target, and that the target is motivated to avoid the behaviour (Bushman & Anderson 2001, Berkowitz 1993, Green 2001) ^[6]. Aggression may be defined as harmful behaviour which violates social conventions and which may include deliberate intent to harm or injure another person or object (Bandura, 1973; Berkowitz, 1993) ^[7].

Anderson & Huesmann (2003) defined aggression as a behaviour directed towards another individual carried out with the proximate (immediate) intent to cause harm^[8].

There are three types of aggression Physical-verbal, active-passive, and direct-indirect, (Berkowitz, 1994; Bjorkqvist, 1994) ^[9]. The active passive dimension refers to the extent to which the aggressor actively engages in a behaviour aimed at harming someone, with passive aggression referring to causing harm by not doing something. The direct-indirect dimension is also relevant (Bjorkqvist, 1994; Bjorkqvist et al., 1992; Buss 1961, 1971) ^[10].

Topic for Psychology and Family Law column in the March/April 2010 edition of the San Gabriel Valley Psychological Association's bimonthly newsletter stated about the aggression and mental trauma of legal professionals. They surveyed that criminal lawyers were 30% more aggressive due to client cases dealing than other lawyers (John T. Johnsen, 1998).

University of Sydney, 2010 studied on the criminal advocates and stated that a counsel is expected to, on the behalf of their client, engage in a battle of wits on a daily basis with other lawyers as well as judges and this is a daunting and stressful exercise (Stallman, 2010) ^[11].

Gender is a social construct and can be viewed as a set of characteristics that are related to particular biological sex. It is the psychological sense of being male or female. Alice H. Eagly (1987) envisaged a theory called "social role theory" which talks about gender stereotypes widely shared from gender division of labour in the society ^[12]. In west disproportionate assignment of paid posts of higher authority between male and female in addition to gendered division of labour created stereotypes.

Imparato, 2000 commented that women criminal advocate's marriages can suffer because of the billable hour requirements, frequent travel, and the need to counter the perception that they are less committed due to their domestic responsibilities (such

as care of children or elderly parents). The toll of these sacrifices can lead to substance abuse or depression [13].

It has been found from different studies that gender do play a major role in professional lives of advocates. The females are biased against male counterparts. According to a study conducted by Women in Law Committee of the State Bar of California stated that almost 85% i.e., 2/3rd of the female advocates are not accepted as equals by their male peers. Women minority lawyers are also subjected to ethnic bias, they are accepted as only housework officials. Female advocates also face sexual harassment.

OBJECTIVES OF THE STUDY-

1. To find out is there any significant effect of gender and status of employment on anxiety and aggression among criminal advocates.
2. To find out is there any significant interaction effect of status of employment and gender on anxiety and aggression among criminal advocates.
3. To find out is there any significant correlation between anxiety and aggression among would be criminal advocates.
4. To find out is there any significant correlation between anxiety and aggression among practicing criminal advocates.
5. To find out is there any significant correlation between anxiety and aggression among male would be and practicing criminal advocates.
6. To find out is there any significant correlation between stress anxiety and aggression among female would be and practicing criminal advocates

HYPOTHESES-

1. There will be a significant difference between would be criminal advocates and practicing criminal advocates on the basis of anxiety and aggression.
2. There will be a significant difference between male and female would be and practicing criminal advocates on the basis of anxiety and aggression.

3. There will be a significant interaction effect of status of employment and gender on anxiety and aggression among criminal advocates.
4. There will be a significant correlation between anxiety and aggression among would be criminal advocates.
5. There will be a significant correlation between anxiety and aggression among practicing criminal advocates.
6. There will be a significant correlation between anxiety and aggression among male would be and practicing criminal advocates.
7. There will be a significant correlation between anxiety and aggression among female would be and practicing criminal advocates.

2. MATERIALS AND METHODS

The present study was conducted with male and female criminal advocates (would be and practicing). The subjects were selected for the study divided into gender and status of employment having a minimum experience of 2 years in the field of advocacy. The sampling method used in the present study was simple random sampling [14]. From the total sample of 232 individuals, 201 individuals were finally retained (male would be criminal advocates- 64, female would be criminal advocates- 48 and male practicing criminal advocates- 48, female practicing criminal advocates- 41). Age of the subjects was between 21-40 years (21-30years → would be criminal advocates & 31-40years → established criminal advocates). Advocates having any other side profession except criminal advocacy and with history of psychiatric illness were excluded.

TOOLS USED-

Information Schedule

Certain demographic information regarding the personal identity (like name, age, biological sex, educational qualification, city/town, nature of employment, category of practice as advocates, working hours, experience in years, involved in any other profession or not, monthly income, family type,

marital status, any history of past psychiatric illness etc.), were collected.

STATE TRAIT ANXIETY INVENTORY

State Trait Anxiety Inventory (STAI) authored by C.D. Spielberger, R.L Gorsuch and R. Lushene in 1983 [15] was applied to measure state & trait anxiety. The test-retest reliability was found to be 0.31 to 0.86 on initial development. The content validity measured as 0.73 and 0.85 respectively for S- Anxiety (SA) and T-Anxiety (TA).

STATE TRAIT ANGER EXPRESSION INVENTORY

State Trait Anger Expression Inventory (STAXI) authored by Spielberger in 1999 [16] was applied to measure state & trait anger. It consists of 44 items. The test-retest reliability was found to be 0.78 for S-Aggression (S-ANG), T-Aggression (T-ANG) and Anger Expression (AX).

STATISTICAL TREATMENT- SPSS version 16.0 is used. Probability value accepted for the test significance was 0.05 and 0.01 level. Descriptive statistics (mean and standard deviation), inferential statistics – 2X2 factorial ANOVA and correlational statistics – Pearson's product moment correlation is done.

ETHICAL CONSIDERATION- Since this study was conducted on professionals of criminal law background and also the students those who want to practice criminal law later in their lives, it was checked that the personal information completely remains confidential including anonymity and privacy. The data were collected from the subjects by taking proper the consent from them.

3. RESULTS & DISCUSSION

The present research findings illustrate criminal advocates to be high in both anxiety and aggression. Table 1 depicts that female criminal advocates are more vulnerable towards anxiety and aggression though anger expression is more among male criminal advocates. Daily court proceedings and hectic schedules might be a cause. Anxiety is more among female criminal advocates [2]. The present study further points out that the state and trait anxiety are seen more

in case of would be criminal advocates. The cycle of student life, internships and practicing as a junior under senior advocates involves a lot of strain and anxiety [3] [4] [5]. The current mental pressure faced by would be criminal attorneys to become an established one is immense. In case of aggression females are again at a higher stage. Non accomplishment or non-fulfilment of any goal in professional life tends to affect females more than males. The present study also found that the mean of aggression is more among practicing criminal advocates. Free lancing profession always has an innate quality of financial threat and everyday risk. Due to unavailability of new incoming cases and losing cases consecutively may lead to the result.

Table 2 and 3 signifies that anxiety and aggression holds a positive correlation for both would be and practicing male and female criminal advocates. State anxiety is not correlated with trait aggression and anger expression for male and would be criminal advocates. The present study signifies a relationship of aggression and its sub-domains with anxiety for both advocates. Aggression in the life of advocates is a very common issue. The sleepless nights, the projects, the deadlines of internship, dissertations, moot courts and court trials embraces the life of would be and practicing criminal advocates with stress and anxiety. From the previous sections of discussion it is clearly evident that anxiety and aggression are major cause of poor mental health condition of criminal advocates [5].

There is no impact of gender on anxiety and aggression as aggression is inevitable for the profession of advocates and the court cases, trial room contradictions and financial threat also lead to anxiety. Table 4 illustrates that the F values as depicted is not significant at either 0.05 or 0.01 level of significance for any of the variables. The main effect and interaction effect both for gender, status of employment of criminal advocates as well as their interaction effect are not significant. The findings are supported by the studies mentioned above [11]. The present study failed to establish a significant difference in terms of state anxiety, trait anger and anger expression among would be and practicing criminal advocates as both of them are highly stressed for their work life pressure. There has been no interaction effect of gender and status of employment of criminal advocates on variables like

state anxiety, trait anxiety, state aggression, trait aggression and anger expression due to commonality of professionalism [13].

4. CONCLUSION

As per the result and discussion covered it can be concluded that gender and status of employment of criminal advocates has no impact on the psychosocial variables selected in the study, though it has been seen that anxiety and aggression are high among female criminal advocates but anger expression is seen higher among male criminal advocates. Furthermore, in the context of relationship between all possible psychosocial variables in would be and practicing criminal advocates, it has been found that anxiety is related with aggression. Same has been established for male and female criminal advocates.

Therefore it can be seen that hypotheses 4,5,6 and 7 are partially accepted and hypotheses 1,2 and 3 are rejected in the study.

IMPLICATIONS OF THE STUDY

A criminal advocate dealing with a client's issues needs much of mental support and has to provide mental stability and strength to clients also to adhere to him. Apart from practicing professionals amateurs and their hardships to become an established can't be ignored. Mental health of criminal advocates whether established or not needs attention. Their well being is something society misses upon. The study among gender difference and status of employment of criminal advocates can become an open source for directly addressing the mental health issues of them and providing counselling sessions to provide them mental piece. Relaxation therapy can also be worked on to make the criminal advocates stress free. Proper catharsis training to remove out anxiety and aggression can also be framed.

Table 1. The table showing mean (M) and standard deviation (SD) of the selected variables (anxiety and aggression) among male and female would be and practicing criminal advocates.

VARIABLES	GENDER		EMPLOYMENT STATUS OF ADVOCATES					
	MALE		FEMALE		WOULD BE		PRACTICING	
	M	SD	M	SD	M	SD	M	SD
SA	16.60	6.89	18.21	7.05	43.28	9.49	40.88	8.42
TA	35.16	11.95	37.86	10.36	39.93	10.88	42.41	10.51
STAI	53.46	14.30	58.09	7.60	82.27	9.86	82.14	8.99
S-ANG	34.68	15.40	37.39	13.83	39.51	13.88	38.75	10.55
T-ANG	27.25	14.97	32.34	12.44	27.73	25.90	26.80	20.19
AX	18.37	10.76	17.54	10.76	67.07	19.92	64.45	13.73
STAXI	76.21	27.89	85.28	29.31	132.31	29.87	131.02	24.72

Table 2. The table showing Product moment correlation coefficient (r) between the selected variables (anxiety and aggression) (among all possible pairs) among male and female criminal advocates.

	MALE					FEMALE				
	1	2	3	4	5	1	2	3	4	5
SA	—					SA	—			
TA	0.65**	—				TA	0.78**	—		
S-ANG	0.26**	0.43**	—			S-ANG	0.57**	0.69**	—	
T-ANG	0.26	0.38**	0.11	—		T-ANG	0.49**	0.61**	0.71**	—
AX	0.37**	0.55**	0.42**	0.49**	—	AX	0.41*	0.4**	0.34**	0.27**

** = significant at both 0.01 & 0.05 level

* = significant at only 0.05 level

Table 3. The table showing Product moment correlation coefficient (r) between the selected variables (anxiety and aggression) (among all possible pairs) among male and female criminal advocates.

	WOULD BE CRIMINAL ADVOCATES					PRACTICING CRIMINAL ADVOCATES				
	SA	TA	S-ANG	T-ANG	AX	SA	TA	S-ANG	T-ANG	AX
SA	—					SA	—			
TA	0.75**	—				TA	0.88**	—		
S-ANG	0.29**	0.35**	—			S-ANG	0.47**	0.63**	—	
T-ANG	0.18	0.37**	0.18	—		T-ANG	0.39**	0.64**	0.61**	—
AX	0.47**	0.58**	0.45**	0.49**	—	AX	0.43*	0.8**	0.43**	0.23**

** = significant at both 0.01 & 0.05 level

* = significant at only 0.05 level

Table 4. The table showing 2*2 way analysis of variance (ANOVA) (main effect and interaction effect) of gender and status of employment of criminal advocates on selected variables (anxiety and aggression).

SOURCE	VARIABLES				
	STAI		STAXI		
	SA	TA	S-ANG	T-ANG	AX
GENDER	0.234	0.132	0.179	0.123	0.278
STATUS OF EMPLOYMENT OF CRIMINAL ADVOCATES	2.456	2.876	2.930	0.131	1.158
GENDER AND STATUS OF EMPLOYMENT OF CRIMINAL ADVOCATES.	1.167	0.082	0.025	1.785	0.637

** = significant at both 0.01 & 0.05 level

* = significant at only 0.05 level

[Note- Table showing only F values of the selected variables]

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