



Women in the Legal Profession: Shattering Social Stigma in a Male-Dominated Field

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Abstract

This article brings out the unspoken problems of women in the legal career. Even though the profession of law is based on the pillars of justice¹ and equality², the female practitioners³ in the legal field still face unfair treatment and systematic prejudice in the profession. The discrimination, inadequate promotion prospects, underpayment, as well as absence of female leaders are the challenges that persist. Most of the female population are faced with unspoken obstacles⁴ that prevent them to develop professionally, such as workplace harassment, inability to contribute in decision-making processes, and stereotypes of unfamiliarity within society. The article explores these structural and cultural barriers⁵ both in the past and the present, highlighting the necessity of reforms and gender-sensitive policies⁶ that would guarantee some real equality in the legal system.⁷ It also make a comparison with the global prospects of female practitioners. This paper explore hidden challenges in the law practice faced by woman but still emerging as a strong and powerful character beside the bitter cultural and social barriers. It discuss the difficulties and stigma in practicing the noble profession, where serving justice itself bring challenges need to be justified.

Introduction:

Nowadays, when women have become an inseparable part of any professional field, it is important to highlight the role and the struggle of women in the legal field. However, despite some remarkable developments in most fields, the real situation of women in law, especially in Pakistan, is very demanding and struggling.

The article attempts to investigate how the role of women in the legal profession changed, the reasons as to why these changes have not been fully realized yet, the progress that has been made by them, and the way forward towards ensuring that there is actual gender equality. In the Pakistani legal field, women still face this uphill task in

¹ Justice

² Equality

³ Female Practitioners

⁴ Obstacles

⁵ Cultural Barriers

⁶ Gender-Sensitive Policies

⁷ Legal System



a field that was traditionally male-dominated. They are often faced with dismissive behavior, they are often not involved in important issues in the case and are often not offered mentorship and meaningful duties.

Although law is the area that requires intelligence, professionalism and integrity, there are still some people who see women as not fit to practice law in a rigorous manner. This image does not just lower their competence, but also exposes them to systematic marginalization, which restricts their potential and cuts off their career advancement. Despite the fact that women have over the years gained entry into the legal profession, the entry has been marred by social, cultural and institutional challenges.

Gender-based discrimination is still present even with constitutional rights to equality, and the leader position in the legal field remains overrepresented by males. In Pakistan, women have been traditionally excluded in substantive legal work due to the legal culture. Most of them are consigned to subsidiary roles where they are called upon in court only when it is felt a sympathetic face is necessary to persuade a judge to allow an adjournment.

Not only this sabotages their legal skills but also bolsters negative stereotypes that make them not be viewed as equal parties in legal discourse. To ensure that the legal profession in Pakistan can prosper and demonstrate the democratic ideals guaranteed in its Constitution, it needs an overhaul to begin and end without any favoritism.

One of them consists in the establishment of equal opportunities of women throughout the legal system, access to mentorship and training, and the challenge of the deeply ingrained cultural prejudices that still undermine the situation. In addition, the image of a woman standing in front of a judge and arguing the case in court is another image that plays right with the deep-rooted norms. Such assertiveness is not praised in most quarters of the society and instead, it is looked down upon, as unbecoming or unfit to a woman.

Therefore, female lawyers have to walk a fine line between being a professional and meeting the strict expectations imposed on women in terms of their behavior, speech, and the way they have to be in a social setting. This is not only a burden on them emotionally but also prevents complete participation and progression of the legal profession.

Historical Background

Traditionally, the legal profession has been male-dominated, with women historically excluded from both legal education and practice. In many parts of the world, including Pakistan, women were not permitted to become lawyers or judges until well into the 20th century.



In the colonial era, women had little access to legal education and the first few women lawyers started coming out in Pakistan in the 1950s and 1960s. Such pioneering women as Justice Majida Rizvi, advocate Asma Jahangir and Justice Syeda Tahira Safdar cleared a lot of hurdles and opened the doors to other generations of female lawyers. Women today are increasingly becoming lawyers with some institutions recording as high as 50 percent visit to law schools.

There are now women legal professionals in the position of advocates, judicial officers (magistrates, civil judges) as well as prosecutors and legal consultants working in the public and the private sector. When we consider the perception of the world toward the involvement of women into legal profession in the past, centuries have passed before the legal profession was an exclusive field of men.

Until the 19th century, women in the majority of countries were not legally allowed to be lawyers or judges. The gender inclusion movement in law started in the late 19th and early 20th centuries, the pioneers being the ones who dared to oppose these discriminatory laws and society.

In United Kingdom The Sex Disqualification (Removal) Act 1919 paved the way to female lawyers, with the landmark Sex Disqualification (Removal) Act 1919. In the same case of Pioneers in the United States, the first woman to argue in the U.S was Belva Lockwood. Supreme Court, paved the way to the next generation, in Canada Clara Brett Martin was the first woman lawyer in the British Empire in 1897 and in India Cornelia Sorabji was the first woman to study law at Oxford and she became the first woman advocate in India.

In addition to being confined by the conventions of society which socialize women to take subservient positions, the acts of harassment albeit in silent forms cannot be disregarded. The legal profession, which is one of the main pillars of justice and equity, should not be a breeding field of discrimination and harassment based on gender.

The structural changes that are much needed are ensuring that there is enforcement of anti-harassment policies, open channels of reporting of complaints, tenderizing the courts staff and bar members, and more women being enrolled in leadership positions. To succeed in the legal profession and flourish, women should not be treated as an exception but rather be regarded as equals.

Challenges for Women in the Legal Profession

Although there has been a slow process of women gaining access to the legal profession in Pakistan, their experience has not been smooth with systemic and rooted challenges. These obstacles are not solely professional but also social and quite personal and tend to impact the feeling of safety, dignity, and agency that women have in the profession.



This prejudice had rather simple explanation but, in fact, it was immature and symptomatically wrong. The female gender was stereotyped as the feminine gender and it was assumed that male judges will be more lenient on them. As a result, women associates would not be developed in terms of their legal skills; they would be placed in strategic positions so as to take advantage on the perceived gender-based benefits in the court rooms.

They were not assigned to be mentored and hone their advocacy and analytical skills but instead placed to work in peripheral and support positions. Meanwhile, their male colleagues who were less prepared were given the benefit of the doubt and given mentorship, exposure in court rooms, learn skills in litigation and leadership opportunities that would make them argue and represent notable cases. and get ahead in the profession.

More often than not, further women are subjected to conventional questioning of their competence and dedication. They are usually sabotaged by their male counterparts and clients who see male lawyers as more competent even at times when they excel in the court. Such gender assumptions continue to make female professionals lack confidence, and do not support their promotion.

Nevertheless, the issue of academic training to active legal practice is still an overwhelming challenge among many women. Although there are women who study law with the sole focus of acquiring higher education, others opt to enter academia or governmental jobs just to escape the ugly scenes of legal practice that has remained highly entrenched in patriarchal values.

Moreover, those who decide to become lawyers, the path is normally filled with hurdles. These women are forced to face the social pressure, intrusion into their personal lives, and unremitting criticism of their ethical values and motives just by their decision to work in a respectable profession. This is especially disappointing to young women who join legal profession with good intentions and wish to change the world.

Most of them are in unfriendly and exploitative working conditions, where the society and even the educated male co-workers help to shatter their self-image and professional pride. Such poisonous culture does not encourage sticking to it, so many bright women have to give up their legal careers altogether a sad outcome, both to themselves and to the future of this legal profession in Pakistan.

The issue of sexual harassment is still high in courts, legal chambers, and offices. Most women complain of unwanted observation of their looks, like being called by their nicknames or rather being evaluated not based on their legality but on superficial



factors. These humiliating statements are not accidental one-time facts they represent a wider culture of disrespect.

One of the most disturbing tendencies is the abuse of bar information or case records by senior lawyers who call junior female lawyers in the name of seeking their assistance in the bar elections or to provide mentorship, only to cross the professional line with cross messages, late night calls and invitations.

There is lack of proper grievance mechanisms (to deal with harassment or inappropriate conduct). Most women are afraid of being retaliated or branded as trouble makers when they raise their voices hence remain silent and continue to be exploited. In addition to this Women are still underrepresented in the ranks of senior legal positions, including High Court and Supreme Court judges, members of law firm and bar councils and partners.

Leadership positions are seldom given, and are mostly informal, having no real power or voice. Females are often paid less as compared to their male counterparts to carry out the same work. They are not usually allowed to work on major cases and are not given a chance to spearhead high profile litigation. There are also cases when the clients freely choose male attorneys because of already obsolete gender stereotypes, which further restricts the exposure and experience of women.

The reports of disrespect of court personnel like readers (readers), clerks (Ahlmeds) towards women lawyers who issue orders and mismanage files are common due to their gender. This is further promoted by the Munshi culture that has clerks on the lawyers who have power and this hinders the creation of a friendly environment. Others make it a point to misbehave or harass female lawyers as a way of threatening or getting their undue attention. Women in criminal law or cases involving human rights are under additional pressures, such as being physically targeted.

They are also prone to criticism and risk in matters relating to controversies or sensitivity making most people shy away of such crucial fields of law work. Moreover, having a legal career and family life is one of the biggest challenges. Women still face the challenge of primary care giving into social norms, which makes it difficult to pursue the challenging careers in law.

Women are also not encouraged to take up jobs that are facing the outside world such as litigation due to family pressure.

Global Perception of Women in Legal Profession

The legal profession across the world was only a male profession centuries ago. It has been witnessed that women have been actively involved in the legal profession in recent decades especially in legal education. Female Legal Practice are highly provided in the



mid-level positions like associates, public defenders, legal advisors, and in-house counsels.

In the United States four women have been on the Supreme Court bench including the legendary Justice Ruth Bader Ginsburg and the current Justice Sonia Sotomayor. Whereas in the United Kingdom Baroness Brenda Hale became the first female President of the UK Supreme Court and Canada virtually half of federal judicial office posts are presently held by women.

Notwithstanding the harsh conditions of the Pakistani legal profession, which women endure, several high profile female attorneys have still managed to emerge and established their presence. Among them is Adv. Sabahat Rizvi who became the first woman to be elected Finance Secretary of Lahore High Court Bar Association in 180 year of history in 2023-24. There are other prominent supporters such as Adv. Asma Jhangir, Adv. Rabia Bajwa (Former President LHC), Adv. Tabinda Islam, Adv. Noor Zafar and Adv. Shazia Tasleem Kasi and many others reword practitioners trailblazers whose relentless efforts have given way to the new generation of female lawyers.

On the judicial front, where rays of hope like Justice Ayesha Malik, the first woman to be appointed to the Supreme Court of Pakistan, have shattered many years of resistance. They have helped pave the way to judicial equality between genders and so have Justice Alia Neelum, the first woman to become Chief Justice of the Lahore High Court, Justice Abhar Gul Khan has made history as the first judge appointed in the Lahore High Court in decades and Justice Musarrat Hilali, the first woman to become Chief Justice of the Peshawar High Court, and who have given a lifeline and hope to every aspiring woman in the legal profession and lightened the burden.

Despite the huge improvements, there is gender inequality in the legal sector in all parts of the world, women are still underrepresented in senior legal positions, managing partners in a law firm, senior judicial position, bar council or even top prosecutor. Research by some organizations like the American Bar Association and the Law Society of England and Wales have shown that women are significantly paid less than men especially in senior roles.

The legal profession is very demanding and does not have enough flexible working opportunities, so in most cases, women are unable to advance in their careers, particularly women who have care giving duties. According to surveys of the International Bar Association (IBA), there are high percentages of women in the legal profession who have reported one or another type of harassment or discrimination.

Philosophical Reforms that Support Women:



To counter these issues, a number of nations and global organizations have adopted liberal actions. France and Norway, as well as Germany, are among the European nations that have put in place gender quotas in the appointment of judges and other judicial leadership roles. In the U.S., UK, and Australia, professional development is offered through structured programs, which match junior women lawyers with senior mentors in an effort to retain and promote their advancement.

The major law firms in the international market provide paid maternity/paternity leave, part-time, and remote work opportunities as a way of ensuring work-life balance. Increased use of legal institutions has been seen to embrace strict policies concerning harassment prevention and gender sensitivity training to the staff and practitioners.

Feminist groups like UN Women, International Association of Women Judges (IAWJ), and Women in Law International are actively involved in encouraging women to take up legal systems, judicial reform and gender justice. Organizations such as World Bank, UN Women and International Association of Women Judges (IAWJ) encourage women to take part in the justice system and OECD closely monitors gender equality in laws and monitors the success of women in acquiring access to justice.

Legal profession has gone a long way since its inception as a male dominated profession to a place where women have registered significant advances. In Pakistan, where the law profession is still dominated by men, a number of legal reforms and institutional changes have risen to provide assistance to women in law. Nevertheless, problems still remain and there is a tendency to enforce them inconsistently.

The legal profession provides women with legal reforms, protections and developments that are presently available in Pakistan. Not only women are getting into the profession in swarms today, but they are also getting to influential and leadership positions. Nonetheless, gender equality is still out of reach. Deep rooted cultural prejudices, institutional inertia and unequal power remain to restrict full participation and appreciation of women towards law.

To see that women do not just join the legal system, but also that they succeed and prosper. Currently, the rise of effective female leaders in the legal arena pioneers who motivate young lawyers and help to empower the judicial system, can be partially explained by the assistance and guidance of some progressive older males. It should be noted that in the field where men are almost 90 percent of the workforce, survival and development of women are perhaps pegged on the support, direction, and respect of men.

This is a gender inequality that renders the legal profession especially difficult to females. It is also relevant to state that there are numerous senior male champions and



judges who have worked proactively in order to encourage female associates, giving them the room, self-esteem, and advice to excel. The prominent names like Adv. Abid Saqi (ASC), Adv. S.M Zeeshan Mirza (ASC), Adv. Hamid Khan (ASC), Adv. Ahmed Qayoom (ASC), Justice Syed Mansoor Ali Shah, Justice Awais Khalid and others have always supported gender inclusion.

Their activism to advance reforms, equal participation, and open door to women in bar politics has been critical towards changing the legal environment of women in Pakistan. But yet there are one that want attention like:

- Promotion of mentorship initiatives and gender policies.
- Encouraging work-life balance by encouraging flexible work models.
- Proceeding with the voice of equal representation and leadership.
- Reforms of judicial and Bar Council,
- Female quotas or incentive to include women in leadership.
- Mentorship and Training Programmes particularly among the young female lawyers.
- Safety at work to enhance the implementation of the harassment legislation and court security.
- Educating and media to create awareness to Change cultural stereotypes.

The legal profession has come a long way with women breaking several barriers in history and social aspects. Although the journey ahead is still with obstacles, education, change in policies and social disposition is providing women with chances to spearhead and redefine legal practice. Although there has been tremendous development among the Pakistani women to venture into the legal profession, they have a long way to go.

The legal sphere in Pakistan can become more inclusive and more encouraging of female presence in the country with the help of the institutional reforms, the support of the society and the dedication to the gender equality.

Conclusion:

The article explains the issues and problems encountered by women in the legal profession in Pakistan and outlines the problem of their low representation in the legal profession around the globe. It also underlines the essence of acknowledging and honoring the role of women as practicing lawyers and guaranteeing their equal representation in all the areas of the profession with dignity and honour.

Nevertheless, gender inequality, harassment at work and lack of access to leadership remain some of the barriers to women gaining ground in the field of law, even in the recent decades. True equality can only be achieved when all bar councils, law institutions and court systems take inclusive measures through gender-sensitive



reforms, mentorship and adoption of policies that ensure inclusiveness. The issue of empowering women in the legal profession is not only one of fairness, but it is also a necessary outcome to strengthen justice, improve civil trust, and have a genuinely balanced and representative legal system.

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