A Special Edition Celebrating 100 years since the enactment of the Sex Disqualification (Removal) Act 1919

Collected works from Members of Aston Law School
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EDITORIAL

In this Special Edition we have taken a different approach from our usual structure. I am delighted to showcase the work of Aston Law students who had two particular briefs. The first was to develop critical articles that examined issues affecting women in the law, broadly defined. The second was to introduce to us women who had inspired them. I am tremendously proud to say, that on both counts, Aston Law students have delivered.

In this Special Edition, there are articles that focus on issues such as the development of black women within the legal arena, and also the potential future for the legal field with regards to the progression of women within it. To accompany this critical analysis, there are biographies of famous figures such as Ruth Bader Ginsburg. We also have an interview with a practicing lawyer, together with fascinating insights into the lives of inspiring women outside of the UK.

The brief that was delivered to the student cohort for this Special Edition was purposefully broad. The reason for this was to provide a vehicle for the student cohort to express themselves and share with us their inspirations. I hope that you will agree that this has certainly been achieved. It is my pleasure, the pleasure of everybody connected to the Law Review, and the pleasure of everybody connected to the Law School to present to you the following works.

Dr Daniel Cash
Editor-in-Chief
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Biographies and Interviews

The Notorious RBG

Chloe Kindon

Justice Ruth Bader Ginsburg (RBG) describes herself as a ‘flaming feminist litigator’. RBG trained to be a lawyer in New York in the late 1970’s. Being female and Jewish, Ginsburg often faced sexism and Anti-Semitism in her social life, studies, and advocacy. This meant that she struggled to find legal work. Measuring just five feet, one inch tall, Ginsburg is one of the most powerful icons in the history of women in law despite her diminutive figure. She is a Supreme Court justice, now 86 years old, and has served for 26 years on the Supreme Court panel and is the second woman justice to have been appointed. Proudly, Ginsburg is an advocate for women’s rights, such as equal pay, maternity laws, and abortion laws.

It is without doubt that Ginsburg is an inspiration to all, especially feminists. She is robust yet empathetic, focused yet aware of wider societal issues. She has devoted her career to fighting gender and racial based discrimination. Whilst Ginsburg is viewed by many as a superhero, she is a grounded person and like many regular girls, she grew up with strong female inspirations; one being Amelia Earhart and the other, Nancy Drew. RBG understood the difference between fiction and non-fiction, at the time is was almost a fairy-tale for women to be working male dominant jobs. What she admired most about Earheart was her resilience. Earhart was the first female aviator to fly alone across the Atlantic Ocean. This inspired Ginsburg to push the limits placed on women in the professional world. She deduced that she could achieve anything as long as she worked hard. Ginsburg was one of nine women in her class at Harvard Law School, which held a majority of 491 men. Whilst at Harvard, the Dean of Law asked Ginsburg to justify taking a place in class which would have “otherwise gone to a man”. She vowed to
break academic boundaries and show that she was of equal intelligence (if not superior) to her male counterparts. Martin D. Ginsburg, Ruth’s husband, had accepted a position with a law firm in New York City: to join her husband, RBG transferred to Columbia Law School in her final year, where she completed her degree. By balancing her books with her quality time with family, she came top of her class at Columbia. However, once she graduated in 1959, no matter how good her grades were, she could not find a job as a lawyer due to the stigma around women in law. She later recognised “that to be a woman, a Jew and a mother to boot... was a bit much” for male-headed law firms to accept at that time in history.

Ginsburg broke the glass ceiling in a white, male dominant world. A world, which at first, denied her a career in law due to the fact that she was female and had a small child. A world in which women’s issues (such as pregnancy) were punished, whilst their male counterparts faced no repercussions. This is relevant to the Air Force case argued by Ginsburg, with special emphasis on the fact that pregnant women in service were dismissed unless they had an abortion. Although no man was ever ordered out of the Air Force for being a party to conception or for soon becoming a Father. Ginsburg is a victor. She believes that to gain true equality, there needs to be ‘full autonomy and full equality with men’. However, abortion prohibition by the State makes this near impossible. She argued for social change, sometimes through simple means such as vocabulary; ‘A woman who exercises her constitutionally protected right to terminate a pregnancy is not a “mother”’. Women were criminalised through the view that women must serve a maternal, domestic purpose, to assume that women were solely domestic careers, while men were the breadwinners imbalanced power between the genders. Ginsburg contested that such stereotypes violate the ‘equal-protection clause of the Constitution’. While this is a piece celebrating a century of women in law, ‘Ruth’s career was inspired and enabled by the rarest of male allies’. Ginsburg had the full support of her loving husband,
who cared for their children and **encouraged her to pursue her career within the law.**

Not only is Ginsburg academically strong, she has dealt with a range of health issues whilst serving at the Supreme Court. In 1999, Ginsburg survived colon cancer. Unfortunately, a decade later she had to **undergo treatment for pancreatic cancer.** Triumphantly, she once again conquered cancer, **aged 76.** Despite backlash from the media and certain members of the Republican Party, **Ginsburg is fit to serve in court.** Ginsburg’s battles with cancer and other illnesses have been used to depict her as frail and weak, to suggest that she should not serve on the Supreme panel any longer. Her age has been thrown into question whilst conversing about her long devotion to service. We must ask, was Justice John Paul Stevens questioned in this way? No, in fact he **served on the Supreme panel until he reached 90 years of age.**

The social construct that women are weaker than a men is still present in American society, six decades after Ginsburg started to **fight against this ideology.** Ginsburg intends to serve until **she as well reaches 90 years of age.** The route of Ginsburg’s devotion to serve is allegedly because of **her resentment towards Donald Trump and his political views.** Trump would be able to obtain a political advantage by appointing a more conservative judge if Ginsburg were to leave the panel. However, a man who thinks he can grab women by the private areas and ostracize people due to their gender, race, and sexuality, is **no match for the Notorious RBG.** Ginsburg refuses to retire and states that “**As long as I can do the job full steam, I will be here.**” For this reason, Ginsburg is my female inspiration.

Justice Ginsburg has devoted her life to feminism. Since she started her journey of fighting for equality between the sexes, there has been international advancement with the recognition of women. Although, in British society we still see successful, female professionals being spoken about in derogative manors. Lady Hale was labelled an ‘Ex-Barmaid’ in
September 2019, in an attempt to degrade her; with the same article belittling her for her physical attributes, namely her ‘spider brooch’. Women, however professional, still face sexism in the 21st Century. It is inaccurate to assume that sexism is a generational ideology, as change is still needed. Yet, the social uproar which follow sexist notions is proof that the position of women in society has improved significantly in the last Century. It is imperative to reflect on the historical hardships of women, such as Ginsburg. Although, we are now in a position to appreciate the current standing of women in the legal world.
Amal Clooney: A Woman Rising Above Fear

Taiwo Fakorede

This article is an appreciation of the women who defy the social norms, those who stand bravely amid adversity, and those who continue to ensure that women’s rights all over the world are upheld.

Amal Clooney, is a name you would might rarely hear when you ask a student studying law, who inspires you? This is not for the lack of work she has been able to achieve for the international human rights sector of law, but rather the nature of her role in the public eye. Clooney is a brilliant woman who is changing the lives of many women around the world and she looks good while doing it, allowing her name to leave an imprint in your mind so you will always remember the women in need of justice.

The first time I heard Amal Clooney’s name was in a history class. A YouTube clip was played and, in it she stated she would be representing an ISIS victim, Nadia Murad. My first thought was, does she know fear? Coming from a country where corruption prevails daily - you hear of horror stories of the girls going missing or being kidnapped when they challenge evil - I feared for her life despite knowing nothing about her or her work. This led me to research on her and, after seeing a video of her standing in front of the United Nations, fearlessly, demanding the UN to take action against ISIS, I was in awe.

Amal Clooney nee Alamuddin, born in Beirut, Lebanon had to immigrate to London, England as a result of the civil war in Beirut at the age of two. The highly educated woman, who is fluent in three languages, studied in St Hugh’s College, Oxford, a constituent college of the University of Oxford.
She went on to study for her Law degree in New York University’s School of Law, gaining knowledge and skills as well as experience from the office of Sonia Sotomayor, who later became the first Hispanic and Latina Justice. Looking through her experiences and career, it can be said that she focused on becoming an international lawyer intentionally, as there is a desire for achieving justice for those who could not achieve this on their own. Some of Amal’s more notable cases include representing Mohamed Fahmy, a journalist that was held in Egypt, showing her stance on Article 10 of the European Convention of Human rights, freedom of expression which includes speech. Despite Fahmy’s sentencing, Amal continued to fight until his eventual pardon by the Egyptian President. Another case she is known for is the representation of Armenia in the Armenian Genocide case, where she showed boldness by accusing Turkey of hypocrisy on the freedom of expression. She established the hypocrisy which was the Turks allowed a Turkish leftist to call the Armenian genocide an “international lie” but refused to allow the same freedom of speech to the Turkish-Armenians who campaigned for the 1915 massacre to be called a genocide. Despite the ECHR upholding Dogu Perinceks’ right to question, Amal used her public platform to establish her beliefs on what she considered an injustice, once again shedding light on human rights issues that a lot of people rarely pay attention to. Her notable cases have recently been focused on fighting for the rights of journalists as seen when she represented the Reuters Journalists and women, as seen in her recent effort to hold ISIS accountable for their atrocious dealings when they invaded a Northern Iraqi village.

Amal has forfeited the chance of a normal life, a life of ease, which could involve walking with her family in Central Park, New York, because the desire for justice is more rewarding than the safety of social conventions. The fight to ensure that the ISIS group is held accountable is a dangerous one leaving her family at risk, however, she denies herself this comfort to give justice to the many women that have been affected by this hateful group. Apart from her outstanding courage and her desire for justice, Amal Clooney's
intelligence shows as she has also shared her knowledge with various institutes and universities in an effort to impact future generations. She was a visiting faculty member and a senior fellow in Colombia Law School’s Human Rights Institute. She has also co-lectured with Sarah H. Cleveland, who is an American professor and a leading expert in international law in Cleveland’s course on human rights exposing the human rights issues we face in today’s society to a new generation. She has also published over 10 article pieces in an effort to create more awareness of numerous concerns including criticism of high organisations that acknowledge but refuse to take active steps in addressing various human rights matters.

Amal Clooney never gives up on fighting for the rights of people in different countries, defying stereotypes about women all over the world, created by misogynists who believe a beautiful woman cannot be intelligent, that a woman of ethnic origin cannot be studying law, or once a woman is married all she can be is a “trophy wife”. It is even scarier to believe that, in 2019, there are news articles that reduce a woman’s accomplishments due to things they have no control over. So, my inspiration comes from a woman going through endless scrutiny in the age of internet and remains determined enough not to let the words of anyone distract her from helping women who have been through horrific experiences to achieve justice in the best way possible while highlighting international human rights with her platform. Amal Clooney once quoted a well-known politician in a speech saying, “Women’s rights are human rights. Holding back women is holding back half of every country in the world.” As we celebrate women in this Review we should remember to always speak up for injustices and prejudice we see, even when it seems to be a trivial issue.
A Biography of Fatma Karume

Vanessa Lukaza

Fatma Karume, or as Tanzanians call her, ‘Shangazi wa Taifa’ (which in English translates to ‘Aunt of the Nation’) is an independent lawyer and activist from Tanzania. This nickname strongly fits her persona due to her buoyant and forthright nature as it is electively seen in all the work that she has done.

Her legal career began in 1992 where she attended the University of Sussex, at which she received a Bachelor of Law (LL.B). In 1994, Karume was admitted to the Bar in mainland Tanzania and Zanzibar. Later in 1997, she received her LL.M at the London School of Economics (LSE). Then that following year in Middle Temple, London, she received the Degree of the Utter Bar.

After her life in Europe, she returned back to her home on the island of Zanzibar and established her law firm in 2004 named Karume and Co Advocates. Subsequently, after a duration of time, she later merged with what is now the most prestigious firm of solicitors in Tanzania, named IMMMA Advocates. She is presently serving as a partner of the firm in the headquarters in Dar es Salaam, Tanzania.

Described as “a star at the Bar” by the Chambers Global (2019) which ranks the top lawyers and law firms in over 190 countries, she is also ranked in the first Band in General Business Law. It is this expertise and proficiency that has led Karume to become the lead adviser in the World Bank-funded business environment for strengthening business in Tanzania. This is
through preparing concepts, supporting regulations, need assessments, and implementation plans for business licensing in Zanzibar, Tanzania.

Other than being an expert in Business Law, Fatma Karume is a Human Rights activist. Her constant advocation for change has led to her being appointed the central advisor in the civil justice reform programme appointed by the Law Reform Commission of Tanzania. The Commission was developed in association with the East Africa Law Society and the Law Society of England and Wales. This reform was established to undertake a comprehensive and inclusive review and preparation in drafting Bills of Laws.

To further her accomplishments, on the 14th April 2018, Karume made Tanzanian history by being the second-ever female president to lead the Tanganyika Law Society (TLS). During her leadership as head of the TLS, Karume spoke up against the Tanzanian criminal justice system; stating that they arrest and remand citizens for years even though there is not sufficient evidence that has been gathered to sustain charges against them. As a result of Karume’s prowess and confidence, she was banned from attending the Law celebrations by the Tanzanian Judiciary. This was seen as unusual as it is a tradition for the president of the Tanganyika Law Society (TLS) to speak.

In 2018, Karume again exhibited her belief of equal rights by publicly speaking against Paul Makonda, the regional commissioner of Dar es Salaam who conducted a search seeking to capture any citizens who were members of the Lesbian Gay Bisexual Transgender community (LGBT). Karume overtly said, “I support everyone’s right to live in peace and that includes homosexuals, bisexuals, heterosexuals, asexuals. What people do sexually amongst consenting adults is their business!”
Karume’s constant advocacy and activism for equal human rights are what has led to her not only being an inspiration to female lawyers but lawyers in general in Tanzania. It is her self-assurance and poise that inspires and motivates women in law. From owning her law firm to managing a major law firm, and being a top advisor in an established organisation, Fatma Karume is an excellent example that portrays not only to women in Tanzania but to women all over the world that breaking gender barriers that have been set against them is attainable. The attainment of the position as the second-ever Tanganyika Law Society (TLS) president illuminates that there has been a significant development for women in law in Tanzania.
The Legacy of Justice Annie Jiagge

Marlyne Frempong-Boadu

Late Annie Ruth Jiagge (1918-1996) changed the face of gender equality within Ghana’s (then ‘The Gold Coast’ under colonial rule) legal system as the nation’s first female lawyer. Jiagge also played a pivotal role in the recognition of ‘women’s rights as human rights enshrined in the international law’.

Early Life and Teaching Career

Justice Annie Ruth Jiagge was born and received most of her education in Keta, an Ewe-speaking town on the ‘south-eastern coastline of the then Gold Coast (now Ghana)’. After excelling in her studies, Jiagge trained to become a teacher at Achimota College. In 1938, she then took up her first teaching role at the Presbyterian Girls’ School in her hometown and was promoted to head teacher.

Progression into the Legal Field

Jiagge excelled in the teaching profession but was determined to start a career in the legal field. So, with financial support from her Mother, she travelled to study in England at the London School of Economics and Lincoln’s Inn. The road to success was not a steady process and throughout her career, Jiagge faced ‘gender-based discrimination’ which cemented her desire to ‘advocate for the rights of women’. Throughout her lifetime, Jiagge’s life had been ‘marked by firsts’. On 1st March 1954, Jiagge had made history by becoming the first woman ‘to join the bench as a magistrate’ in Ghana. Four years after British colonialism had come to an end in Ghana, she had been appointed as a high court judge becoming the first ever woman to do so within the commonwealth. In 1961, she became the first ever female high court judge within the commonwealth nations. Furthermore, she rose up to become a judge in the court of appeal. In the
height of legal success, Jiagge thought about other women who, like herself, had been marginalised. For instance, she addressed social issues affecting women and their relation to the law. She focused the legal regulation of issues such as the ‘age of marriage, consent to marriage, registration of marriages, maintenance and custody of children, inheritance and divorce’.

**Working with the United Nations**

Whilst working with the UN (United Nations), Jiagge used her platform to further the support of equal rights for women. In 1962, she had been appointed Ghana’s representative for the UN’s Commission on the Status of Women. In 1968, she was subsequently elected as the Commission’s President. Her most memorable action of that period was contributing to the drafting of the UN’s *Convention of the Elimination of All Forms of Discrimination Against Women* (CEDAW), in 1967. In 1978, the CEDAW was finally adopted by the UN General Assembly. The convention served as bridge between international and local legal frameworks and how ‘abstract distinctions between “public” and “private” are challenged by women’s activism’. It was clear that in different spheres of life women suffered discrimination in both public (e.g. employment) and in private (e.g. marriage and the home). This framework sought to tackle this. Today, this convention remains the most extensive instrument on the rights of women internationally.

**Impact of Jiagge’s Work and Legacy**

Jiagge passed away in Ghana in 1996, leaving a lasting impact. After her death, the World Council of Churches noted that she was a ‘notable woman, we have much to learn from her life and work’. In response to her contribution to the convention, the former UN secretary general Boutros-Ghali praised her actions by stating that she possessed the qualities of ‘determination and ingenuity’. Jiagge was not only remembered as a women right’s pioneer and lawyer but she was also known for her humanitarian works. The legacy of Jiagge persists to be ongoing as she inspired many women in her home country to pursue legal careers. For instance, Justice
Joyce Bamford-Addo became the first woman in Ghana to be seated in the Supreme Court. More recently, Justice Georgina Theodora Wood became Ghana's first female justice in 2008.
The Voice of the Voiceless: Suffragette Sophia

Davina Jirh

An account of Sophia's early life and history

Sophia Alexandrovna Duleep Singh was born on the 8th August 1876 in Central London and subsequently became the goddaughter of Queen Victoria. In particular, she became an avid suffrage supporter and worked alongside Emmeline Pankhurst to try to enable equal voting rights for males and females.

In righteousness, Sophia acquired the title of being a ‘princess’ as her grandfather was the King of the Sikh Empire in the Punjab. Her father Duleep Singh was the next rightful heir of Punjab, however this was controversial as he was only five years old at the time. During the Anglo-Sikh war, they exiled the King (Maharaja) to Britain at the age of fifteen and he was cared for by Mr and Mrs Spencer-Login under the orders of Queen Victoria. The Queen then maintained a close relationship with Sophia’s family and therefore became her godmother.

Sophia's family life

Princess Sophia was the beloved child of Maharaja Duleep Singh and Bamba Müller. In particular, she had three brothers (Prince Victor, Prince Frederick, and Prince Edward Albert) and two sisters (Princess Bamba, and Princess Catherine.) In her early life, Sophia developed typhoid and whilst her mother was attending to her she contracted the disease and passed away. Two years later, her father married Ada Douglas Wetherill and Sophia had two stepsisters (Princess Pauline and Princess Ada).

An account of Sophia’s later life and activism:
After Sophia’s father passed away in France, Queen Victoria gifted her and her sisters a grace and favour house in Hampton Court in London. The Queen was in awe of her goddaughter Sophia in particular, due to her interests in fashion as well as great public interest about her. Shortly after this, Sophia and her sister took a trip to Punjab (India) which opened her eyes as to the ‘stark inequality and injustice facing her people’, whereby she was filled with a revolutionary urge to make a change. Upon her return to England, Sophia was a leading member of the Women’s Social and Political Union (WSPU) which was initiated and led by Emmeline Pankhurst.

**An account of Sophia’s progression and achievements:**

Princess Sophia took a pivotal step in deciding to join the WSPU’s initiative to demand that a bill should be passed to enable women to vote, although this was immediately rejected by the Prime Minister. Subsequently on the 18\textsuperscript{th} November 1910, 300 of the most prominent suffragettes, including Sophia, marched on Parliament Square to achieve justice for women through legal means. For a woman of Sophia’s background and close association with the Royal Family, her actions would have been seen as treacherous behaviour. Even though 1000 Policemen intervened in their march and assaulted the women for their basic rights to vote, Sophia tried to support her other fellow suffragettes.

In one particular case, Sophia witnessed a Policeman continuously assaulting a woman along a pavement, and immediately put herself between the woman and the police officer to act as an obstruction for his atrocious behaviour. Whilst the policeman was trying to flee the scene, Sophia identified his badge number (v700) and consequently wrote a letter of complaint the day after. The letter went through many officials which outlined the atrocities that the women faced; however this was ignored and Winston Churchill who was the home secretary ordered that no reply should be given.

Sophia did not take this lightly. One of her major accomplishments was that she decided to confront the Prime Minister instead to try to initiate a bill for
suffrage. A State Opening of Parliament was occurring and the Prime Minister, Herbert Henry Asquith, was making his way towards Parliament until Sophia pulled out a campaign poster simply stating ‘Votes for Women’ and slammed the poster and herself upon the bonnet of the car where he could not avoid seeing the paper. The police shortly made their way and arrested her although she was released without charge due to her status and association with the Royal family.

This only heightened her frustration and passion for women’s votes as she became a supporter of the Tax Resistance League and did not pay her taxes. Within her hearing, Sophia stated that “I am unable conscientiously to pay money to the state as I am not allowed to exercise any control over its expenditure, neither am I allowed any voice in the choosing of members of parliament whose salaries I have helped to pay.” In 1928, Sophia became President of the Committee of the Suffragette Fellowship after Emmeline Pankhurst passed away. This dedication and initiation of the WSPU led to the Equal Franchise Act 1928 being passed nearly three decades later whereby women were given the right to vote on an equal footing with men.

An account of Sophia’s death:

Whilst Sophia was focused on Women’s rights and dedicated her life to this cause, it became a personal hindrance as she never married or had any children. At age 71, on the 22nd August 1948, Sophia Duleep Singh passed away.

During her later life, Sophia came to terms about the inter-cultural conflicts faced by women as well as religions including the Sikhs, Hindus, as well as Muslims and therefore she left money in her will to 3 girl schools of these different religions as a symbol of maintaining equality and peace.
An Interview with Polina Lyadnova

Venandah Madanhi

For this special edition of the Aston Student Law Review, I wanted to interview an inspirational woman in law. I chose to share Polina Lyadnova’s story because not only does she provide elegant solutions to some of the world’s most complex transactions but she does it with grace and strength. Polina is a Partner at Cleary Gottlieb Steen & Hamilton LLP (Cleary Gottlieb). Her practice focuses on Financial Restructuring with particular experience in cross-border transactions involving Emerging Markets. Polina has been honoured as a “Next Generation Lawyer” by the Legal 500.

Venandah Madanhi (VM): The legal landscape has been male dominated for centuries and there was once a time when female lawyers were rare, let alone female partners. In light of this, where there any common hurdles that you had to overcome in order to assert yourself as you navigated your career?

Polina Lyadnova (PL): It really depends on what you see as common hurdles. I grew up, studied law and started my career in Russia, where social stereotypes more generally and workplace culture are quite different from Europe (and there are clearly defined male and female roles in society). Yet I did not feel (and it might well be that I was thoroughly naive or very junior at the time) that I had any boundaries. Looking back I think this ignorance helped me grow. After I had moved to London and had a chance to compare, I suddenly saw the deficiencies and biases but at the time it all had gone past me. I was challenged very early on by projects that frankly were way beyond my comfort zone and I had no choice but to push myself. I was also very lucky with (admittedly male) mentors in every job I had. I did not seek a mentor nor did I even know what a mentor was at the time, instead I developed those relations by accident. My mentors gave me pretty frank, good or bad, feedback and showed trust in me and my abilities.
VM: There are so many different practice areas to choose from when starting out. How did you decide that a career in Finance was the one for you?

PL: I actually did not choose finance or at least not very early. I studied Public International Law at University. At age 17 I was not really sure what I wanted to do and that sounded like an interesting subject. After my third year, I had a stint at an international law firm over the summer and decided that I like private practice. I then started working in private practice in my fourth year, while still studying International Maritime Law and reading UNESCO’s charter and the like. The firm I worked at required us to choose a practice area and while I initially chose Banking I switched to Corporate halfway and then moved to Capital Markets towards the end of my employment there. I decided to do Finance when I moved in-house despite not having masses of experience in the Finance area. I gave it a try since the role sounded very broad and included pretty much anything that fell within the Finance department’s realm. With my Finance Lawyer title I dealt with a very broad range of issues, including IT outsourcing contracts and corporate governance. I maintained that diversity when I moved to Cleary Gottlieb and pretty much until my partnership (and even as a Partner I sometimes dab into other areas at clients’ request). I firmly believe that **having a breadth of experience makes a much better lawyer** and overspecialisation may become limiting especially in a rapidly changing market.

VM: In your own words, what is it like being the only woman sat at the table? Do you feel like there are any stereotypes about women in law that need to be debunked?

PL: One needs to have a strong (though not necessarily loud) voice to be heard. I always felt that preparation is absolutely key – if I needed to deliver a message or get a decision, my presentation needed to be structured, supported (by evidence, but also sometimes by having early discussions with
some members of the group) and well delivered. It does not mean that men should not prepare for whatever presentation they are delivering – the rule is pretty universal – **if you want an effective meeting, you need to come prepared**, but being [the only] woman around a table makes this rule perhaps more of an imperative. On stereotypes – there are really so many, about men and women - I think the key is to **make sure that we are conscious of our biases** and do not run to conclusions based on those. Challenging oneself is as important as challenging others, especially when managing people (or talent) and more so in a business where talent is the main asset.

**VM:** If you could give your younger self three pieces of advice, what would you say?

**PL:** Be brave, be bold and do not settle too early.
Articles

The First 100 Years… but for who? (Sex Disqualification (Removal) Act 1919)

Venandah Madanhi

The First 100 Years movement celebrates the achievements of women in the legal industry and the feminist developments that helped to pave the way for such progression. This essay takes this into consideration while focusing on how black women in law and their experiences come from a very different historical perspective than that of white women. Ultimately, it makes recommendations for reform through exploring the challenges caused by objective legislation, the unsung achievements of black women in law, and the current rates at which women are seeking to enter the profession.

The journey towards equal access to careers in the legal industry was difficult for women due to a range of issues such as being viewed as intellectually inferior to men. Meanwhile, the journey towards accessing the legal profession as a black man was made difficult for other reasons such as being viewed as primitive and intellectually inferior to their white male counterparts. In light of this, the difficulty of accessing the legal profession is exacerbated for black women whose experiences have been made difficult for the combination of the reasons mentioned above among others.

For many years the perspectives of women in the law were over looked and those of black women even more so. For example, at the time of writing, the achievements of women documented on ‘The First 100 Years’ website contains 104 entries. Of these 104, only seven of the entries (6%) are in relation to black women in law. If one is to take a closer look, they will discover
that out of the seven entries, four of them are about the same black woman meaning that the readership is technically only exposed to the stories of four individual black women out of 104 entries. This lack of representation may not be obvious to the average person when looking at the timeline. However, for black women, this lack of representation is strikingly obvious. Considering that the timeline is dedicated to highlighting the achievements of women in law, it is shocking that the readership is not informed about things like what paved the way for ethnic minority women to practice, who the first black woman to become a solicitor or join an Inns of Court was, and many other unanswered questions. The impact of excluding the perspectives of black women is highlighted by Banks who explains how the level at which the "legitimacy of non-white intellectuals" was questioned throughout colonial periods of time has contributed to the sometimes-unconscious notion that different and complex human experiences weaken rather than enrich the whole intellectual community. In light of the above, it is clear to see why the intellectual ability of black women has often been dismissed or undermined considering that the legal industry has generally been reserved for those viewed as having high academic ability.

Traditional legal dialogue favours objectively reasoned arguments and is often “devoid of any humanistic concern.” Emphasis on objectivity and blanket legislation can result in excluded or devalued life experiences which, in turn, “raise legal, social and moral issues.” Of course, objectivity is key in some legal discussions. However, others require a more subjective approach that takes into consideration the importance of upbringing, societal experiences, and more. The writer believes that, going forward, having legal practitioners of varying backgrounds and life experiences enriches legal dialogue and paves the way for more innovative and impactful solutions. Perhaps if more black women had been practicing as Barristers and Judges the laws that governed everyday life and marginalised ethnic minorities could have been repealed much sooner. This is because widening participation to those within the same race as those that have always had access (in this case white women)
perpetuates a legal system that is shaped by those who are unaware of the consequences of exclusion in its harshest sense. Banks argues that “our varied life experiences of being black and female in a white male dominated society affect our individual perspectives.” In light of this, it can be suggested that the lack of black women within the legal industry, both as practitioners and scholars, is also a by-product of the process of entering the industry having been established by men who did not, and would not have been expected to understand the perspectives of women, never mind the nuanced perspectives of black women.

In spite of the barriers, Williams contends that there has always been gifted black women who have aspired to be legal practitioners and scholars and have managed to “transcended the chauvinistic and exclusionary nature of the legal profession.” By sharing their stories and occupying senior positions in the legal industry, these black women are, in their own ways, attempting to humanise and transform the industry. For example, Dame Linda Dobbs was the first non-white person to be appointed to the senior Judiciary of England and Wales in 2004, 85 years after the Sex Disqualification (Removal) Act 1919 enabled women to practice. Dobbs’ navigation of life at the bar was far from smooth. From having her name covered in tippex on briefs by clerks and replaced with male prospective tenants, all the way to regularly being assigned to represent extreme right-wing party members – she bore the brunt of being both black and a woman. She described her early days as part of the judiciary as the only ethnic minority woman as “absolutely terrifying” and often “lonely.” Her experiences emphasise the importance of role models and mentors who can help you develop coping mechanisms.

Alongside Dobbs, there have been many other firsts who have paved the way for black and ethnic minority women in law both domestically and internationally. Examples include Grace Ononiwu who was appointed the First Black Chief Crown Prosecutor in 2005. Charlotte Boaitey, who has been the
only black woman to head her own chambers since 1984, provides for another example. Boaitey took over from Mavis Gibson, who was the first black woman to open her own chambers in England and later on became the first black woman to be appointed to the High Court of Zimbabwe. A number of these firsts speak about having felt a lack of confidence and how having mentors from all walks of life - be it white women, Asian men or other black women, helped them throughout their careers. It is important for students and aspiring legal professionals to learn about the diverse groups of women who have made their mark within the legal profession. Especially at a time where there are more women studying the Bar Professional Training Course and training contact applicants consist of 68% women and 36.5% ethnic minority groups.

Overall, reaching the milestone of 100 years of women in law is truly something to be celebrated. However, the milestone also signals a time for reflection on the inequalities that still remain within the legal system. Going forward, there should be more emphasis on intersectional legislation that asks, “who is this law benefitting and who does it ignore?” This will help towards reforming the legal system into one that takes into consideration the fact that different people fall into multiple groups of identity and with that come challenges that should not be ignored. In spite of the differences, what is encouraging is that the stories of all women in law show that everyone has a role to play when it comes to facilitating progress. This is because true progress is achieved when there is equal access to opportunities, mentorship, representation and support.
To whom it may concern... “will the legal profession be transformed by the women who practice law?”

Gursharan Panesar

Introduction

‘Flexibility, tact, intuition, understanding of people are as valuable in the practice of law’¹ all characteristics that women possess which are ‘important in the right task of administering justice’². This article will discuss how ‘equality is better for everyone’³ and how a women’s influence in law has reshaped the profession by her ability of ‘going into the larger offices and are and will increasingly be, ground out as specialist in real estate, or surrogate, or insurance law’⁴. However, it will be discussed how ‘there is a tendency for the male-dominated or male-centred forms and values to control’⁵ and how there are views which suggest that women are still somewhat isolated from the world of law. On the other hand, as many firms have signed the pledge of ‘promising to support the promotion of women into senior roles’⁶ it will certainly avoid further criticism and allow for women to enhance in their legal careers.

A truth that ‘equality is better for everyone’⁷

When reviewing the development of women in law, it is commonly perceived as a positive movement that has been supported by many individuals across the profession, ‘the Law Society, Bar Council, Chartered Institute of Legal Executives, firms and chambers launched a Women in Law pledge, promising

² ibid 21.
⁶ Jan Miller, ‘Balancing the boardroom’ (2019) 169 NLJ, 1,2.
⁷ Blacklaws (n 3).
to support the promotion of women into senior roles, establishing the huge amount of interaction from organisations willing to facilitate women with the chance to thrive in the legal profession. Also, the ‘ministry of justice at which 48% of senior positions are fuelled by women committed to public service’ shows an atmosphere where women are creating powerful shifts to the hierarchy that once mainly consisted of men. Moreover, it is greatly recognised that ‘equality is better for everyone and will result in more inclusive, healthy and supportive workplaces which are more in line with the expectations of today’s society- and clients’ and thus not only will promoting women be beneficial for a working atmosphere but more so for the establishment of the future success of the business. ‘Women are already occupying judicial positions’ which illustrates how there has been a vast alteration to the gender imbalance. This transformation has empowered women and allowed for further growth as ‘over 12,000 members of the profession were engaged’ in ‘the need for gender equality’. Furthermore, ‘our constitutional and legal vocabulary might be redefined with a women’s voice’ and thus, the impact will revolutionise the legal system. Having said that, the Sex Disqualification (Removal) Act 1919 had already confirmed that ‘A person shall not be disqualified by sex or marriage from the exercise of any public function’ which includes a ‘civil’ or ‘judicial profession or vocation’, and so even with the transformations that are being created, there was already a legal foundation set for the inclusion of women, which also made it inevitable for women to become lawyers.

It is largely accepted that a ‘system of justice will be the richer for diversity of background and experience’. What one can recognise is that the

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8 Miller (n 6).
10 Blacklaws (n 3).
11 Rembaugh (n 4).
12 Blacklaws (n 3).
13 ibid.
14 Menkel-Meadow (n 5) 61.
15 Sex Disqualification (Removal) Act 1919.
16 ibid.
17 ibid.
expansion of women in the profession will prove that her role will be given greater significance as she ‘is by way of being the general confident and adviser, covering fields and expected to be all thing to all clients’\textsuperscript{19} presenting the idea that the lack of confidence that pre-existed is almost eradicated with the new way of working. Furthermore, ‘firms are generally making progress when it comes to boosting the number of women in leadership role\textsuperscript{20} and so the change is certainly one that is helping law firms succeed in their future.

Moreover, ‘not only will women at the bar continue to do well, they will do so with the certain idealism, simply because those qualities are expected from them\textsuperscript{21}, which truly showcases how they are being relied on as there is a type of delegation, rather than being underappreciated for their efforts and skill. Women have an advanced and elevated status in the legal profession as opposed to the past. This is evident as ‘the number of women judges on courts other than the U.S Supreme Court has been doubled\textsuperscript{22} which displays the importance of equality and how an alteration in the system has caused women’s abilities to be relied on by giving her the opportunity to be promoted. Professor Epstein had also analysed ‘how women have succeeded in making their way into law schools and the legal profession, despite the fact that they were not wanted\textsuperscript{23}, eliminating the isolation that was there. Women are seen as extremely valuable individuals which may come as a revelation to critics.

\textsuperscript{19} Rembaugh (n 4).
\textsuperscript{20} Miller (n 6).
\textsuperscript{22} Martin (n 18).
\textsuperscript{23} Ginsburg (n 21).
Will it always be ‘cast from the same mould’?24

On the other hand, it is important to examine the hindrances as ‘even throughout our present legal structures may reflect elements of both sets of values, there is a tendency for the male-dominated or male-centred forms and values to control’25 which establishes the idea that women in law have not overcome all of the barriers because ‘men have, in fact, dominated by controlling the legal system, the women’s voice in law may be present, but in a male form’.26 This should not be neglected as it presents a major flaw within the legal system and how women have almost merged with, rather than having a separate identity of their own. Furthermore, ‘some fear the women’s voice will simply be added on’27 however, to contradict this, a women’s voice will in actual fact add new ideas, thoughts and improvements as ‘words such as liberty, autonomy and equality might come to mean different things when expressed with a women’s voice’28 completely reshaping the system rather than it being ‘cast from the same mould’.29 The introduction of women in law will create an environment for different perspectives, therefore improving the quality and richness of ideas in the sector.

On the other hand, Frances Olsen gave a view that simply should not be overlooked as he mentioned that law is ‘supposed to be rational, objective, abstract and principled, like men; it is not supposed to be irrational, subjective, contextualized or personalized, like women’30 questioning the characteristics in a somewhat aggressive tone however Justin Coynes said that ‘a wise old man and a wise old woman reach the same conclusion’31 and so the latter view clearly outweighs the other because both genders have the ability to form a judgment that is appropriate to a situation in law. As for for

24 Martin (n 18).
25 Menkel-Meadow (n 5).
26 ibid 50.
27 ibid.
28 ibid.
29 Martin (n 18).
30 Menkel-Meadow (n 5) 44.
31 Martin (n 18) 126.
the growth of a firm it is essential for ‘businesses to successfully implement transformational chance, the role of diversity, inclusion and gender balance must be recognised as a business priority’ and so rather than segregating women and criticising their ability, one must understand that for a law firm to achieve success there is need for balance whether that be in characteristics, ideas, judgment or ability. To assume that women are ‘personalized’, causes unease as ‘attributing behaviour characteristics to a particular gender is problematic’. Further critics have claimed that the ‘natural and proper timidity and delicacy which belongs to the female sex evidently unfits it for many of the occupations of civil life, including the practice of law’ but when viewed from a different perspective ‘in feminist scholarship is the self-conscious observation of how women’s entry into formerly male-dominated fields establishes how feminists have identified that women are clearly not ‘unfit’ for ‘civil life’ as their constant involvement in current day law affairs shows that they are trusted and respected, a shift rather than it being limited to ‘white middle-aged men’.

There has been a stereotype that law is only male orientated, hence ‘progression has been painfully slow’ according to Blacklaws but the ‘Council heard about a major review of the Law Society’s diversity’ and so the movement and progression is inevitable.

An inequitable persona that is given is that women ‘do not have legal minds. They are more emotional than men’ however to categorise and label women as emotional is to misunderstand their skill as ‘they will become, thereby, specialist and machines of the most specialist and efficient kind’. It is

32 Blacklaws (n 3).
33 Menkel-Meadow (n 5) 44.
34 ibid.
35 Larson (n 1) 21.
36 Menkel-Meadow (n 5) 39.
37 Larson (n 1) 21.
38 ibid.
39 Menkel-Meadow (n 5) 44.
42 Larson (n 1).
43 Rembaugh (n 4).
unfortunate to suggest that women are continuously questioned and ‘would waste the courts time with endless arguments’\(^{44}\), as yet again these assumptions will only create an endless cycle of inequality rather than any potential for growth. But as ‘leaders, senior politicians, activists and clients debated how to close the gender gap’\(^{45}\) what one can examine in a positive conclusion is that although some criticising views suggest women are unsuitable for a role in law, there is a whole movement, an empire of people willing to redevelop, reshape and reconstruct the imbalance and negative thoughts of a minority of people.

A final note of women in law

To conclude, it is promising to suggest that women will succeed in all areas of law, today and for the future. Although there may be a few ‘barriers to success’\(^{46}\), it is outweighed by the success of the Sex Disqualification (Removal) Act 1919, as well as firms ‘promising to support the promotion of women into senior roles’\(^{47}\). Finally, as gender equality is seen to be placed at the heart of law firms, it establishes a sense of security for women to continue to grow despite what the critics have to say, and to normalise the growth.

\(^{44}\) Larson (n 1) 21.
\(^{45}\) Reyes (n 40).
\(^{46}\) Blacklaws (n 3).
\(^{47}\) Miller (n 6).
The Black (Woman) Effect: Intersectionality in Law and the Experiences of Black Women, and the Way Forward

Samira Ali

2019 marks 100 years since the passing of the Sex Disqualification Act 1919. Also, this month, October, is Black History Month, which allowed women to practice law for the first time in this country - to many, these are separate and discreet events, important in their own right. However, to Black women aspiring to the law existing at the intersection of the identities these events mark, it may mean that they are not only adjacent, but are in fact intertwined. This article will explore the meaning of intersectionality in the legal sector, and its impact on Black women lawyers who practise in an increasingly racialised and globalised Britain.

It was poet and feminist Audre Lorde who wrote: ‘there is no such thing as a single-issue struggle because we do not live single-issue lives’. To understand the intersection of sex, race, and class struggles to somebody’s experience as a lawyer, therefore, is to understand the additive impact of sexism and racism on a BME woman who practises law, the impacts on her practice, and where this may have benefits. This sentiment will form the crux of this article, where it is seen as an embryonic articulation of the theory of intersectionality, first conceptualised by American lawyer and writer Professor Kimberlé Crenshaw in 1989.

The central charge of the intersectionality framework Crenshaw sets out is that Black women experience a type of discrimination that is ‘frequently the product of intersecting patterns of racism and sexism’. This produces a discrimination that is distinct to that experienced by White women. Yet, as Abrokwa notes, ‘our legal and cultural institutions have been reluctant to acknowledge [this] intersectional experience, preferring instead to understand people by a singular trait like their race, gender, or disability’. This has been, I will argue, to the detriment of Black women lawyers
compared to their White comparators, and has represented a form of double-barrelled bias, which has been slow to adequately protect or recognise.

Generally, the compounding effect that being both non-White and a woman have on each other, and ultimately the type of discrimination such a person may feel is one which Crenshaw identifies very clearly in the literature. It explains why it is all too real a feeling for non-White women to experience an 'Othering' within the law - through being told, for example, that they 'don't look like a lawyer'; one in which the combination of race and womanhood creates a ‘double disadvantage’ diametrically opposed to the White and male image of the archetypal lawyer. Virtually as much was said to Judge Anuja Dhir QC, (the first non-White judge appointed to sit at the Old Bailey) through the actions of court security whom she recalls often mistook her for defendants early in her career at the Bar.

Such misjudgement has been shown to have effects on the legal careers and progression available to Black women, which, in research recently commissioned by the SRA was found to be ‘different for men and women of different ethnic groups’. Where ‘less is known about patterns of how opportunities improve and/or restrict the chances of workers with different social characteristics’, this is detrimental for serious conversations about intersectionality in the law where there exists gaps in the research. While law firms need to do more to understand and operationalise intersectionality in the context of legal careers (and must centre women of colour in this conversation), its importance is one which is slowly coming to light. For example, the Bar Council’s award-winning #IAMTheBar campaign celebrated those from 'non-traditional' backgrounds which featured Black women barristers, giving a clear message of the value of intersectionality at the Bar.

The combination of identities like race, class, sex, and ability, following such recognitions of intersectionality as above, can add value to a lawyer’s career. The currency attached to the cultural awareness this brings is difficult to overstate – indeed, it is easy to see that law firms are increasingly seeking
out candidates from an increasingly diverse eligible pool. Themes of
diversity and connectedness make an appearance in the statement of values
of every 'Magic Circle' law firm, who describe building 'strength through
diversity' (Clifford Chance) as 'essential for our future success' (A&O). This
may mean that the tide is slowly turning - as black lawyer and activist Shola
Mos-Shogbamimu told a Law Society symposium audience earlier this year,
'colour is a great way to get noticed.'

An appreciation of the impacts of intersectionality are, happily, also ones not
t entirely lost on policymaking at the national level. In David Lammy MP’s
review of BME people in the criminal justice system, he identified the
existence of a 'trust deficit' between minority ethnic defendants and the
lawyers who represent them, and the judges who sentence them, usually
due to the fact that one of these groups is overwhelmingly White and male.
In practice, this has crystallised especially 'consistent differences in plea
decisions'; a phenomenon that changing the 'face of justice', to the extent
that this is brought on by intersectionality, can help avert. Elsewhere, the
Government's Female Offender Strategy includes the important recognition
of the 'unique challenges' faced by Black female offenders in the CJS,
suggesting an implicit appreciation of the importance of intersectionality in
this context and the way it compounds the experiences of Black women in
the criminal justice system. Arguably, 20 years since the MacPherson
Report’s pronouncement of institutional racism, this is a step in the right
direction for further policy appreciation of intersectionality in a meaningful
way – a way in which trust deficits can begin to disappear and an
operationalised understanding of intersectionality ensure that Black women
lawyers can thrive.

30 years since the first conceptualisation of intersectionality, its framework
remains highly relevant for legal practice in this country. It shows the value
of the cultural awareness and authenticity that a BME woman lawyer brings
to an institution increasingly obsessed with diversity is, which only serves to
play to her strengths, by virtue of intersectionality. Because if the
increasingly complex and global issues lawyers grapple with every day are not ‘single-issue’, why should the modern lawyer be?