

## FROM MARGINS TO MAINSTREAM: AN ANALYSIS ROLE OF WOMEN LAWYERS IN ISLAMABAD'S DISTRICTS COURTS

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### Abstract

The study explored the evolving role of female lawyers in the legal system of Pakistan, with a specific focus on the District Courts of Islamabad. As the legal profession in Pakistan has historically been perceived as male-dominated, the increasing presence and performance of women lawyers mark a significant shift toward gender inclusivity and professional equity. The research employed a quantitative approach, using structured questionnaires administered to 93 respondents including lawyers, clients, and court personnel. The results indicate overwhelming support for the idea that the legal profession is suitable for women, with the majority of participants affirming that female lawyers are equally competent in handling both family and criminal cases. Furthermore, the data show that female clients feel more comfortable, secure, and open when discussing legal matters with female lawyers, emphasizing the importance of gender-sensitive legal representation. Interestingly, the study also revealed a shift in societal perceptions, as most respondents disagreed with the notion that law remains a male-dominated field. Moreover, there was significant optimism regarding the future of female lawyers in Pakistan's judicial system. These findings highlight not only the increasing acceptance of women in legal roles but also their potential to contribute meaningfully across all areas of law. The study concludes that female lawyers are breaking traditional barriers and establishing their presence in a profession that once limited their participation. This transformation calls for continued institutional support, policy reforms, and mentorship opportunities to further empower women in law. Keywords: Female Lawyers, Legal Profession, Gender Equality, District Courts, Pakistan Judiciary, Legal Representation.

## 1.BACKGROUND OF THIS STUDY

The legal system of Pakistan is organized into a hierarchy of courts. The Supreme Court of Pakistan is the highest appellate court of nation and is at the top. High courts for each of the four provinces and the Islamabad Capital Territory are located under the Supreme Court. At the lowest levels, there are district and sessions courts as well as various specialized courts (Hussain F., 2015). High courts have original and appellate jurisdiction, while the Supreme Court has original, appellate, and advisory authority. Laws are evaluated by the Federal Shariat Court to see if they comply with Islamic regulations. Drug, business, and terrorist matters are heard by specialized courts and tribunals courts (National Judicial (Policy Making) Committee, 2013). Additionally, there is a Federal Shariat Court with eight Muslim judges, including a chief justice appointed by the president. Three of the judges are ulama, or Islamic scholars, and are specialists in Islamic law. The Federal Shariat Court has both original and appellate jurisdiction. This court decides if a law transgresses Islamic moral principles. A law deemed to be anti-Islam requires the president, in the case of federal legislation, or the governor, in the case of provincial legislation, to act to bring the law in line

with Islamic principles. The court also hears appeals from criminal court judgments rendered in accordance with legislation pertaining to the enforcement of hudood laws, that is, laws prohibiting intoxication, theft, and illicit sexual activity.

There are furthermore specialized courts and tribunals that handle particular types of matters, such as drug courts, commercial courts, labor courts, banking courts, an appellate tribunal for insurance disputes, an appellate tribunal for income tax disputes, and special courts for drugs. Terrorists may also be tried in specialized courts. High courts handle appeals from special courts, with the exception of the labor and banking courts, which have their own appeals procedures. The Supreme Court considers tribunal appeals (Hussain D. F., 2015).

Another element of the legal system is the role of Wafaqi Mohtasib (Ombudsman), which is established under the constitution. The Mohtasib office was formed in several early Muslim nations to ensure that residents were not subjected to unjust treatment. The Mohtasib is a four-year appointment by the president that is not renewable or extendable. The Mohtasib seeks to institutionalize a framework for ensuring administrative responsibility by investigating and correcting any injustice done to a person as a result of

bad administration by a federal agency or federal government employee. Anyone who has lost money or suffered other injury as a result of inadequate management is eligible for compensation from the Mohtasib.

However, the court does not have jurisdiction over issues involving the military, foreign policy, or national defense, or concerning a public official's personal grievances or performance of duty. This organization seeks to improve administrative practices and processes, close the communication gap between residents and public servants, and stop the unauthorized use of discretionary powers (Naveeda Noreen, 2013).

The district courts of Pakistan are courts that operate at the district level; their appeals are managed by the high courts. District Courts are the court of first instance where the voice of the common man is heard first since they operate at the most basic level of the judicial structure. The district level courts hear and decide on the majority of individual cases, both civil and criminal. The District Judiciary is crucial to maintaining the administration of justice. As a result, the district judiciary's position has risen to the top in importance today. Indeed, essential factors for administering justice are substance certainty with a distinct guidance.

District court judges are supposed to rule on cases in accordance with the principles of fair play, justice, equity, good conscience, and without even a hint of fear or favor (Hussain F. , 2015).

Additional District and Sessions justices are selected from a pool of attorneys and subordinate judges by the Provincial and Federal High Courts. On the basis of seniority, senior civil judges can also promote subordinate judges. Lawyers must have ten years of experience as an advocate and be in adequate standing in the appropriate region in order to be appointed. Additionally, they need to succeed on a test given by the High Courts (Khan, 2010).

There are two district courts (East and West) in Islamabad. Islamabad High Court hears appeals from these courts. Whereas, there is one district court in Multan. Lahore High Court (Multan Bench) hears appeals from Multan district. As of June 10th 2023, there were 7000 enrolled lawyers at the Islamabad Bar Council (IBC), 1900 of them were female lawyers, making up 27% of the legal profession. The Islamabad Bar Council has five elected members, but none of them is a woman. In contrast, the Punjab Bar Council (PBC) in Multan has around 10,000 enrolled lawyers as of June 10th, 2023, and

1000 of those lawyers are women, making up 10% of the legal profession.

In general, a female lawyer in the legal system maintains stability. There hasn't been a rise in the number of female solicitors; instead, they tend to work harder to concentrate on the issue-type of legal work. Women are increasingly practicing law in the family and environmental fields. Female solicitors outnumber their male colleagues in terms of proportion in the family law area of the law. There are still not many female judges, and those who do exist tend to preside over family courts. In the modern, constantly evolving legal system, there is a dire need for female solicitors. A female attorney often has a positive outlook (Alinka, 2010).

Social restrictions on entry and involvement in the profession appear to be more potent than legally imposed restrictions. The participation of women in the legal profession has undergone significant changes as a result of altered socioeconomic conditions, including the worldwide women's movement, the democratization of higher education, new means of birth control, and attitudes towards the family.

## 2. STATEMENT OF THE PROBLEM

The purpose of this study is to examine the role and contribution of female lawyers in

the legal system of justice of Pakistan. The prevalence and involvement of female lawyers in Pakistan's legal system have dramatically changed throughout time. However, nothing is known about the precise function they perform in the Islamabad district courts.

## 3. OBJECTIVES OF THE STUDY

The objectives of this study is to explore and examine the role female lawyers in districts courts of the Islamabad, explore the challenges faced by female lawyers, in their legal profession and To analyze the challenges faced by female lawyers and their prospects for the future in light of societal and cultural constraints. Also analyze the problems faced by female lawyers and their prospects for the future in light of societal and cultural constraints.

## 4. REVIEW OF EXISTING RESEARCH STUDIES

The first female attorney, Arabella Mansfield, was admitted to the Iowa bar in the early 1800s, marking the beginning of women in the legal profession. However, women were not accepted to law schools or permitted to practice law until the late 19th century. Women lawyers made great advancements in the legal field in the early 20th century, promoting women's rights and combating prejudice. Against all odds, first female

lawyer of advocate was appointed in 1958 (Ansari, 2023).

The gender makeup of the legal profession underwent a significant transition between the 1970s and the early 2000s. Only 3% of lawyers were women in 1970, while women make approximately 36% of the legal field as lawyer in early years of 20th century (Joni Hersh, 2019).

In light of Islamic beliefs, it is also important to emphasize the human rights of women in this context. In order to advance the recognition of women's human rights under the International Covenant on the Elimination of All Forms of Discrimination against Women (the CEDAW Convention), the International Women's Rights Action Watch IRAW (1985) was established in 1985 at the Third World Conference on Women in Nairobi, Kenya. IRAW was established with the conviction that women's human rights are crucial to their growth and to the equality of women and men. It can only be accomplished by using international human rights norms and procedures (International Women's Rights Action Watch Asia Pacific (IRAW AP)).

According to Lord Brougham's Act (1850) and the Interpretation Act (1889); women were systematically excluded from participating in the profession of medicine

and law. Many of women feared that their entry into the profession of law and medicine would damage their sacred status. The profession of medicine and law excluded women on the grounds that they were inferior and incompetent. This is the belief that women were not fully persons. According to them, Sophia Jex Blake was one among many women who always wanted to challenge such discriminations. Women's rights to equality with men were repeatedly denied (Mossman, 1987).

Women frequently approach reasoning differently. Compared to males, they are less prone to prioritize conceptual rights over present relationships. Women pay greater attention to context, connection, and caring values. Some feminists contend that women's perspectives are distinctive for professional settings and that their beliefs may support a more human, less hierarchical framework for working life (Card, 1988).

As a result of the joint efforts of feminist lawyers, activists from the women's movement, and those who accepted the legal system, the law evolved into a tool for change. It is a powerful tool for women to enter the male-dominated workplace and ensures that they have the chance to succeed. In the 1960s, there weren't many female lawyers in the United States. According to

the US Census, women made up 4% of the profession, or around 7,000 people, but according to numbers given by the American Bar Foundation only 3.5 percent, or 6,348 people. Ten years later, the situation was completely different. There were 13,000 female attorneys in practice by 1970, and their numbers were rapidly rising. Younger people pursued legal careers, while female legal education faced new challenges. After decades of inaction, the number of female lawyers increased significantly from 13,000 to 62,000 between the years 1970 and 1980, and the percentage of women enrolled in law schools increased from 4% in the 1960s to 8% by 1970 to 33% by 1980 (Epstein, 1988).

According to a study by the International Bar Association, there are 51% more women than men practicing law in England and Wales, with 32% of them holding top positions. The evidence suggested that drop of 19% of female representation at senior level is due to gender disparity in legal system, which actually hinder the growth of female lawyers professionally (International Bar Association, 2022).

The most frequent obstacles for female attorneys in the legal system were determined to be gender bias, concerns with sexual harassment and marriage, parenthood,

rigid work schedules and other factors (Brenner, 2014).

The male-centric sociocultural norms and practices have given men power, prestige, and opportunities to exploit women. As a result, women's status is diminished, and the power struggle helps maintain and create inequality (Pranab Dahal, 2022).

Qualitative study explored that the most important issue still facing women in terms of equality in the workplace was pregnancy. Men have largely shaped our leadership and workplace practices, women frequently run into difficulties when attempting to change them to better suit their requirements (French, 2010).

Inequality between both genders is also evident in political institutions, where the underrepresentation of women prevents lawmakers from enacting policies that would better the socioeconomic standing, protection, and protection of women.

Women make about two thirds of the world's illiterate population. Furthermore, because of their lower socioeconomic status, lack of education, and ignorance, women are more at risk for health problems than males. Every year, at least 500,000 women die from illnesses associated to or caused by pregnancy that may be treated. These

disparities are also observed in legal systems (Khan, 2010).

Women entering in legal profession, yet they are not placed in the same position as men. Compared to males, women are more likely to work in lower-paying, less prestigious environments with fewer promotion chances. (Abel, 1985) Women lawyers have uncovered widespread sexism in pay and promotions, sexual harassment in legal offices, and prejudice against women from judges and other lawyers. One of the main reasons that has contributed to the legal profession's changing size, form, and emphasis is the introduction of female lawyers into the field. Female lawyers experience severe discrimination in the past, today their presence is met with responses ranging from accessibility to rejection, with the highlighted ambiguity (Epstein, 1988).

According to Article 25 of Constitution of Pakistan 1973, there shall be no discrimination based only on one's gender, of the Constitution, which guarantees equality before the law and equal protection under the law. While Articles 25(3) and 26(2) allow the state to make adequate arrangements for the protection of women and children. Article 32 provide equal opportunities to women through for the representation of women in local

Government. Article 35 urges that the state protect the family, marriage, mother, and child (The Consitution of the Islamic Republic of Pakistan 1973).

Schultz (2003) suggested that women lawyers would exhibit and perform a different lawyering style than men by their biological or psychological nature.

One-third of female lawyers give up their jobs. As more married professionals have adopted traditional gender roles over time, society has lost a great deal of skill and well-honed talent as a result an outcome. Social conventions encourage male dominance in the workplace and female responsibility for household duties (Jane R. Bambauer, 2020).

Women might practice law in different ways from men. Between 1974 and 1982 there is a view that women in general have a more relational nation of self than men many researchers suggested that women lawyers would exhibit and perform a different lawyering style than men by their biological or psychological nature. Woman is a value care, because care giver is the only social roles they have been permitted to play. Women could ever transform the legal profession as long as she remains in the least powerful legal profession (Jackson, 1992).

In this profession, family law is the most legal line for women. Unlike corporate legal



action in which women remain largely as symbol. Family law has unequal demonstration by women (Liu, 2013). Matrimonial law was one of the few fields in which women could find legal profession when they initially entered the bar. Women were commonly rejected by corporate legal firms, and in the 1960s, women solicitors handled divorce cases considerably more frequently than their male counterparts (Epstein, 1988)

## 5.THE ROLE AND PRESENCE OF WOMEN IN PAKISTAN’S LEGAL SYSTEM

Baseline report of 2020-2021 by ‘Lawyer organization ‘in collaboration Ministry of Law and Justice Shows disparity in representation of female in legal system of Pakistan. Following table represent the secondary data of Ministry of Law and Justice. (Chaudhary, 2021)

**TABLE 5. 1: CATEGORY WISE COMPARISON OF FEMALES IN LEGAL SYSTEM OF PAKISTAN**

Category Wise Comparison Of Females In Legal System Of Pakistan		
Tier	Male	Female
Judges (3365)	2846 (85%)	519 (15%)
Bar Council (205)	201 (98%)	4 (2%)
Advocates (202,236)	177,967 (88%)	24,269 (12%)
Prosecutors (2099)	1779 (85%)	320 (15%)

Female representation is not more than 15% throughout the legal system varying from 15% from judiciary and prosecution to 2% in members bar council.

**TABLE 5. 2: DISTRIBUTION OF LAWYERS IN PAKISTAN**

Distribution of Lawyers in Pakistan		
Tier	Male Advocates	Female Advocates
Punjab (129,870)	114,944 (89%)	14926 (11%)
Islamabad (5780)	4575 (79%)	1205 (21%)
Sindh (38971)	33869 (87%)	5102 (13%)
KP (19,026)	16,658 (88%)	2368 (12%)
Balochistan (5420)	4870 (90%)	550 (10%)
Supreme Court (3170)	3051 (96%)	118 (4%)
Total (202,236)	177,967 (88%)	24,269 (12%)



Table represents that only 12% of lawyers working in legal system of Pakistan are female. Majority of representation is from Islamabad with 21%. Only 118 female lawyers are working in Supreme Court of Pakistan.

**TABLE 5. 3: DISTRIBUTION OF LAWYERS IN PUNJAB**

Distribution of Lawyers in Punjab		
Tier	Male Advocates	Female Advocates
Lower Courts (49719)	42873 (86%)	6846 (14%)
High Court (80,151)	72071 (90%)	8080 (10%)
Total (129,870)	114,944 (89%)	14926 (11%)

In Punjab, only 10% of female lawyers are working in high court while 14% of female lawyers are working in lower courts. Over representation of female lawyers in Punjab is 11%. As compared to 21% representation of female lawyers in Islamabad.

**TABLE 5. 4: DISTRIBUTION OF LAWYERS IN ISLAMABAD**

Distribution of Lawyers in Islamabad		
Tier	Male Advocates	Female Advocates
Lower Courts (2010)	1425 (71%)	585 (29%)
High Court (3770)	3150 (84%)	620 (16%)
Total (5780)	4575 (79%)	1205 (21%)

## 6. ANALYSIS AND DISCUSSION OF RESULTS

**TABLE 6. 1: LAW PROFESSION IS BEST FOR FEMALES**

Law Profession Is Best For Females	Islamabad	
	(N)	
	Total	%
	=93	
Strongly Agree	69	73%
Agree	20	34%
Undecided	4	22%
Disagree	0	0%
Strongly Disagree	0	0%

The majority of respondents from Islamabad profession is suitable for females, while an (73%) strongly agreed that the legal additional 34% agreed. Only a small portion

(22%) remained undecided, and notably, in the legal field, indicating positive none of the participants disagreed or perceptions about gender inclusivity in the strongly disagreed. This suggests strong profession.

support for the idea that women can thrive

**TABLE 6. 2: LAW IS MALE DOMINANT PROFESSION**

Law Is Male Dominant Profession	Islamabad	
	(N)	
	Total	%
	=93	
Strongly Agree	0	0%
Agree	2	5%
Undecided	10	56%
Disagree	30	94%
Strongly Disagree	51	100%

Responses indicate a strong disagreement undecided, possibly reflecting some with the notion that law is a male-dominated awareness of lingering gender disparities. profession. A total of 94% disagreed and However, the overwhelming disagreement 100% strongly disagreed, while only 5% points to a shift in perception towards a agreed. Interestingly, 56% remained more gender-balanced legal environment.

**TABLE 6. 3: FUTURE OF FEMALE LAWYERS ARE BRIGHT IN LEGAL SYSTEMS OF PAKISTAN**

Future Of Female Lawyers Are Bright In Legal Systems Of(N) Pakistan	Islamabad	
	(N)	
	Total	%
	=93	
Strongly Agree	54	82%
Agree	33	53%
Undecided	6	16%
Disagree	0	0%
Strongly Disagree	0	0%

A significant proportion of respondents believe in a promising future for female lawyers in Pakistan, with 82% strongly agreeing and 53% agreeing. Only 16% were undecided, and none expressed

disagreement. This indicates growing confidence in the professional advancement and acceptance of women in the country's legal system.

**TABLE 6.4. : FEMALE LAWYERS HANDLE FAMILY CASES MORE EASILY RATHER THAN CRIMINAL CASES**

Islamabad		
Female Lawyers Handle Family Cases More Easily Rather (N)		
Than Criminal Cases	Total	%
	=93	
Strongly Agree	4	10%
Agree	5	13%
Undecided	6	32%
Disagree	26	96%
Strongly Disagree	52	100%

The data shows strong disagreement with the stereotype that female lawyers are more suited to family cases than criminal cases. About 96% disagreed and 100% strongly disagreed with this view. Only a small

number of respondents agreed (13%) or strongly agreed (10%), and 32% remained undecided. This reflects a rejection of gender-based role limitations in legal practice.

**TABLE 6.5. : FEMALE CLIENTS FEEL MORE COMFORTABLE WITH FEMALE LAWYERS**

Islamabad		
Female Clients Feel More Comfortable With Female (N)		
Lawyers	Total	%
	=93	
Strongly Agree	70	56%
Agree	18	41%
Undecided	5	71%

Disagree	0	0%
Strongly Disagree	0	0%

A majority of participants agreed that female clients are generally more comfortable with female lawyers. Around 56% strongly agreed and 41% agreed with this statement. The undecided category was 71%, possibly indicating uncertainty or overlapping responses. There was no disagreement, showing strong support for gender-sensitive client representation.

undecided category was 71%, possibly

**TABLE 6.6. : FEMALE CLIENTS FEEL MORE SECURE WITH FEMALE LAWYERS**

	Islamabad	
	(N)	
Female Clients Feel More Secure With Female Lawyers	Total	%
	=93	
Strongly Agree	67	57%
Agree	23	43%
Undecided	3	60%
Disagree	0	0%
Strongly Disagree	0	0%

This table further supports the previous one, showing that 57% of respondents strongly agreed and 43% agreed that female clients feel more secure with female lawyers. The undecided group stood at 60%, and again, there was no disagreement. These results affirm the psychological and emotional comfort that female legal professionals provide to their clients.

undecided group stood at 60%, and again,

**TABLE 6.7 FEMALE CLIENTS CAN EASILY DISCUSS THEIR PROBLEMS WITH FEMALE LAWYERS WITHOUT HESITATION**

	Islamabad	
Female Clients Can Easily Discuss Their Problems With	(N)	
Female Lawyers Without Hesitation	Total	%
	=93	
Strongly Agree	67	54%
Agree	22	46%
Undecided	4	100%

Disagree	0	0%
Strongly Disagree	0	0%

The findings indicate that female clients are more open when discussing their legal problems with female lawyers. About 54% strongly agreed and 46% agreed, while 100% of the undecided respondents reflect a minimal level of uncertainty. There was no disagreement recorded, confirming the important role female lawyers play in facilitating open communication and trust.

## 7. FINDINGS AND CONCLUSION

The analysis of responses from 93 participants in Islamabad reveals a strong and positive perception of the role of female lawyers in Pakistan's legal system. A clear majority of respondents (73% strongly agree and 34% agree) affirmed that the legal profession is well-suited for women, indicating increasing societal acceptance of female participation in the legal field. Contrary to traditional stereotypes, a significant portion of respondents strongly disagreed with the outdated belief that law is a male-dominated profession, reflecting a progressive shift in mindset towards gender inclusivity. Additionally, there was substantial optimism regarding the future of female lawyers, with a combined 135% (82% strongly agree and 53% agree) expressing

confidence in their growing role and influence within Pakistan's legal system.

Furthermore, the perception that female lawyers are confined to family law is challenged, as the majority of respondents rejected the notion that they are less capable in criminal law, signaling a move away from gendered role expectations. A critical aspect highlighted by the data is the client-lawyer dynamic, especially concerning female clients. The majority agreed that female clients feel more comfortable, secure, and open when represented by female lawyers. These results underscore the value of gender-sensitive legal representation, particularly in societies where cultural and social norms may otherwise restrict open dialogue between clients and male professionals.

In conclusion, the findings affirm that female lawyers are not only accepted but increasingly respected and trusted in Pakistan's legal landscape. The positive outlook on their future, rejection of gender-based professional limitations, and their unique ability to provide comfort and security to female clients collectively signal a significant advancement in gender equality within the legal profession. This progress also calls for institutional support, policy

facilitation, and greater representation at higher levels of judiciary to further strengthen and normalize the role of women in Pakistan's justice system.

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