

## GENDER DISCRIMINATION IN THE LEGAL FIELD IN PAKISTAN

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### ABSTRACT

*Gender discrimination in Pakistan's legal field reflects the wider societal challenges women face due to entrenched patriarchy and cultural biases. Women are significantly underrepresented in senior legal roles, including judgeships, and often face barriers such as workplace harassment, pay disparities, and limited career advancement. Deep-rooted social norms discourage women from pursuing legal careers, viewing them as incompatible with traditional gender roles. Female lawyers often work in a male-dominated environment where gender discrimination and harassment are normalized, making it difficult for them to progress professionally. Moreover, in legal proceedings, women's testimonies are frequently undervalued, particularly in cases related to family law. Although Pakistan has laws to address gender inequality, implementation remains weak, and structural changes are necessary to promote equal opportunities for women in the legal profession. Addressing these disparities is crucial for improving gender equality in the legal sector.*

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### INTRODUCTION

Gender discrimination in the legal field of Pakistan is a multifaceted issue rooted in cultural, social, and institutional inequalities that have historically favored men over women. While Pakistan has made notable strides in advancing women's rights and promoting gender equality in recent years, the legal profession still reflects many of the patriarchal biases present in the broader society. Women entering the legal field in Pakistan face several challenges, including systemic barriers, unequal opportunities, and deeply ingrained gender stereotypes that hinder their professional growth and participation (Ahmed et al., 2023).

One of the primary challenges women face in the legal profession is the lack of representation. Despite making up almost half of Pakistan's population, women are grossly underrepresented in the legal field, especially in leadership positions such as judgeships and senior law firm partnerships. According to recent data, the number of female lawyers, judges, and legal professionals is significantly lower than that of their male counterparts. The lack of representation not only perpetuates gender inequality but also limits women's influence in shaping laws and policies that affect their lives and rights (Ali, 2021).

Moreover, cultural and social norms in Pakistan play a crucial role in perpetuating gender discrimination. Traditional gender roles and expectations place women in a subordinate position, often discouraging them from pursuing careers in male-dominated fields like law. Many families still

prioritize marriage and domestic responsibilities for women over professional aspirations, limiting their access to education and career opportunities. Even when women manage to break through these barriers and enter the legal field, they frequently face societal stigma and prejudice. Women lawyers are often subjected to derogatory remarks, harassment, and skepticism regarding their competence, which makes it difficult for them to gain the same level of respect and authority as their male counterparts (Rashid, 2021).

The legal profession is also structured in a way that often disadvantages women. For example, gender-based wage disparities remain a persistent issue. Female lawyers are often paid less than their male colleagues for the same work, reflecting a broader trend of wage inequality in Pakistan. Additionally, the lack of supportive workplace policies, such as maternity leave, childcare facilities, and flexible working hours, disproportionately affects women, especially those who are mothers or caregivers. These structural inequalities create significant challenges for women in balancing their professional and personal lives, leading many to either exit the legal profession or settle for lower positions with fewer responsibilities (Zehra, 2023).

Harassment and workplace discrimination are also prevalent in Pakistan's legal field. Female lawyers frequently report facing sexual harassment and inappropriate behavior from colleagues, clients, and even judges. Although laws, such as the Protection against Harassment of Women at the Workplace Act of 2010, exist to combat these issues, enforcement remains weak, and many women are reluctant to report such incidents due to fear of retaliation or damage to their careers. This hostile environment discourages many talented women from pursuing long-term legal careers or aiming for higher positions (Zaheer, 2021).

### RESEARCH JUSTIFICATION

This research on gender discrimination in the legal field in Pakistan is essential due to the persistent gender inequality that undermines the legal profession's integrity and fairness. Despite constitutional guarantees of equality and legal reforms, women remain vastly underrepresented in senior legal roles and are frequently subjected to discriminatory practices. Exploring this issue is crucial for multiple reasons. Firstly, the legal profession is critical in upholding justice and human rights. Gender discrimination within this sector not only limits women's opportunities but also weakens the

credibility and effectiveness of the legal system. Understanding the structural and cultural barriers women face can help address the root causes of these inequalities.

Secondly, there is a gap in the literature regarding the specific challenges faced by women in Pakistan's legal field. By examining the lived experiences of female lawyers, judges, and legal professionals, this research can contribute to the broader discourse on gender equality and inform policy reforms. Finally, promoting gender diversity in the legal sector is essential for creating a more equitable society. This research provides insights that can guide efforts to improve gender-sensitive policies, workplace practices, and societal attitudes, leading to a more inclusive legal profession in Pakistan.

### RESEARCH METHODOLOGY

This study employed a systematic review methodology, with research objectives established accordingly. A comprehensive literature review was conducted (Komba & Lwoga, 2020). Research findings were categorized based on their content (Hiver et al., 2021; Petticrew & Roberts, 2006), and classified information was incorporated into the study by organizing it into headings (Gan et al., 2021; Pawson et al., 2005). The evaluation of classified information and titles formed the basis of the study (Page, 2021; Rahi, 2017), ensuring the integrity of the research subject and its contents (Egger et al., 2022; Victor, 2008).

### LITERATURE REVIEW

Gender discrimination remains a pervasive issue across various professions in Pakistan, and the legal field is no exception. Although women have made significant strides in the legal profession over recent decades, their presence and recognition continue to be hampered by systemic barriers rooted in societal norms, institutional practices, and cultural expectations. This literature review explores the existing research on gender discrimination in Pakistan's legal field, examining the barriers to entry, career progression, and the challenges women face in achieving equality within the profession.

#### *Historical Context and Gender Roles in Pakistan's Legal Profession*

The legal field in Pakistan has traditionally been male-dominated, reflecting broader societal norms

prioritizing men in leadership and decision-making roles. Historically, women were expected to confine themselves to roles related to family and domestic responsibilities. Consequently, professional careers, including law, were often considered unsuitable for women. According to Mahamoor (2023), these societal gender norms have entrenched the legal field as a boys' club, where women are often marginalized and their contributions are undervalued.

This historical context has contributed to women's underrepresentation in the profession. Although the 1973 Constitution of Pakistan guarantees equality before the law, women in legal professions continue to face structural barriers. Female lawyers and judges frequently struggle to assert themselves in a system designed for and dominated by men, which mirrors broader societal patterns of patriarchal dominance (Ali et al., 2022).

### **Barriers to Entry**

One of the first significant hurdles women face in the legal profession in Pakistan is access to education and opportunities in law schools. Cultural biases, financial constraints, and conservative family structures often deter women from pursuing higher education in law. Women in rural areas, in particular, encounter heightened challenges due to traditional views on female education and mobility (Sanders, 2023). Points out that access to education is crucial in leveling the playing field, but the persistent gender gap in literacy and higher education, especially in legal studies, remains a significant barrier.

While women may have greater access to legal education in urban areas, they still face discrimination and discouragement from faculty and male peers. The male-centric curriculum and pedagogical practices in many law schools do not adequately address or accommodate gender issues, further alienating female law students (Newman, 2023). Many women report a lack of mentorship and guidance compared to their male counterparts, which limits their opportunities for professional development from the outset of their careers.

### **Workplace Discrimination and Career Progression**

For women who do enter the legal profession, workplace discrimination is widespread. Women lawyers and judges in Pakistan often face overt and covert discrimination in law firms, courtrooms, and governmental institutions. Studies indicate that women in legal practice are often subjected to

stereotyping, where their competency is questioned simply based on their gender. A report by UN Women (2024) reveals that women lawyers are frequently assigned less prestigious cases or are relegated to supporting roles, while men predominantly fill leadership and decision-making positions.

The glass ceiling effect is particularly evident in the judiciary. According to (Kiser, 2024). While women represent a small fraction of practicing lawyers, their representation in higher judicial offices is even more dismal. This disparity is partly attributed to the societal belief that women are less capable of handling high-stakes legal issues, discouraging their appointment to senior judicial positions (Gabriele, 2022). The Chief Justice of Pakistan has always been male, and only a few women have served on the country's higher judiciary. These imbalances are further exacerbated by the lack of policies promoting gender diversity in legal institutions.

### **Sexual Harassment and Gender-Based Violence in the Workplace**

One of the most severe challenges for women in Pakistan's legal profession is sexual harassment and gender-based violence. A study by Guney et al. (2022). Highlights that female lawyers and judges often encounter harassment in professional settings and during court proceedings. Many women are reluctant to report harassment due to fear of professional retaliation or social stigma. Furthermore, Pakistan's workplace harassment.

## **GENDER DISCRIMINATION IN THE LEGAL FIELD IN PAKISTAN**

Gender discrimination remains a pervasive issue in many sectors of Pakistani society, and the legal field is no exception. Despite advancements in women's education and the increasing number of female professionals, women in the legal profession continue to face considerable challenges. These challenges stem from societal norms, professional barriers, and structural inequalities that hinder their ability to thrive and advance in the field. This essay explores the multifaceted nature of gender discrimination in Pakistan's legal sector, highlighting the systemic issues, societal expectations, and experiences of female legal professionals (Yerramilli, 2024).

### Historical Context of Women in the Legal Profession

Men have historically dominated the legal profession in Pakistan. Until the 1960s and 1970s, few women entered the field of law, and those who did were often met with resistance. Even after women began pursuing legal education and careers, their presence remained limited due to societal expectations, cultural restrictions, and a general lack of support (Kramer & Harris, 2023). Over time, however, women like Asma Jahangir and others paved the way for greater female participation in the profession, although these pioneers faced considerable adversity. This historical exclusion has left a lasting impact, creating deep-rooted gender biases that continue to affect the profession today.

### Systemic Barriers in the Legal Profession

Women in Pakistan's legal field face various systemic barriers, many of which are rooted in entrenched patriarchal attitudes. These include limited opportunities for career advancement, discriminatory hiring practices, unequal pay, and a lack of mentorship for female lawyers (Kolodii, 2023).

**1. Career advancement and representation:** The legal profession has a notorious glass ceiling for women. Female lawyers often struggle to break into senior roles, such as becoming partners in law firms or securing leadership positions in bar councils and legal organizations (Haoucha & Jehhad, 2024). Furthermore, while women have made progress in becoming judges, the percentage of female judges, particularly in higher courts like the High Courts and the Supreme Court, remains minimal.

**2. Pay disparities:** Like many other professions, women in the legal field are often paid less than their male counterparts for similar work (Arzinos, 2021). This pay gap not only reflects the undervaluation of women's contributions but also reinforces gender inequalities within the profession.

**3. Hiring practices:** Discriminatory hiring practices are another major issue, with many law firms being reluctant to hire women, especially for positions that require frequent travel or long working hours (Durrani, 2024). Women are often perceived as less committed to their careers due to traditional gender roles that expect them to prioritize family over work.

### Courtroom Dynamics and Gender Bias

Courtroom dynamics in Pakistan often reveal a gender bias against female lawyers. Women lawyers

frequently report that their male colleagues, clients, and even judges treat them differently because of their gender. These biases manifest in several ways (Beller et al., 2021).

**1. Disrespect and underestimation:** Female lawyers often face condescending attitudes in the courtroom, where they are not given the same level of respect as male lawyers (Tripathi & Rajeev, 2023). They are frequently interrupted, their arguments are not taken as seriously, and they are sometimes advised to tone down their assertiveness, as women view it negatively.

**2. Harassment and intimidation:** Sexual harassment and intimidation are major concerns for women working in Pakistan's legal field (Ozdenerol, 2021). Many female lawyers report facing inappropriate behavior from colleagues, clients, or even judges, which can discourage them from actively participating in courtroom proceedings or high-profile cases.

**3. Client preference for male lawyers:** Due to deep-rooted societal perceptions, many clients, particularly in criminal or corporate cases, prefer male lawyers, believing them to be more competent or capable of handling high-stakes litigation (Bhat, 2022). This bias further limits the opportunities available to women.

### Societal Expectations and Cultural Norms

Societal expectations play a significant role in perpetuating gender discrimination in Pakistan's legal profession. Traditional gender roles expect women to prioritize family responsibilities over professional careers adding pressure on female lawyers (Ahmed et al., 2024).

**1. Balancing professional and personal life:** Women in the legal field often face the difficult task of balancing their demanding careers with household and childcare duties (World Bank, 2020). This dual burden can affect their ability to compete with male lawyers, who generally do not face the same level of familial obligations.

**2. Marriage and career interruptions:** Cultural norms often push women to get married early, and many female lawyers face pressure to quit or limit their work after marriage (World Bank, 2020). For those who continue working, career interruptions due to childbirth or family obligations can slow their professional progress and reduce their chances of advancing.

**3. Stigma around women in male-dominated spaces:** Women who work in predominantly male spaces, such as courtrooms or law firms, are often subject to suspicion or stigma (OECD, 2024). Their presence is sometimes viewed as inappropriate or unconventional, leading to social isolation or a lack of support from their peers and families.

### **Role of Legal Institutions and Bar Councils**

The role of Pakistan's legal institutions and bar councils in perpetuating or addressing gender discrimination is crucial. Unfortunately, many institutions have failed to take meaningful steps toward gender equality.

**1. Lack of Female Representation in Bar Councils:** Bar councils in Pakistan are predominantly male, and women are limited in their representation in decision-making roles (UN Women, 2024). This lack of representation hinders women lawyers' ability to advocate for reforms that address gender discrimination in the profession.

**2. Judicial Appointments and Gender Bias:** Despite progress in appointing women judges, the process remains slow and biased. Female candidates for judicial positions often face more scrutiny than their male counterparts, and the assumption that women are not suited for high-stress legal roles continues to impact appointments, particularly in higher courts (Lai, 2021).

### **Positive Developments and Role Models**

Despite these challenges, there have been positive developments in recent years (OECD, 2023). Women such as Asma Jahangir, Justice Ayesha Malik, and many others have succeeded in the legal profession and become role models for future generations.

**1. Asma Jahangir:** As one of Pakistan's most prominent human rights lawyers, Asma Jahangir broke numerous barriers for women in the legal field. Her fearless advocacy for marginalized groups, including women, set a precedent for female lawyers in Pakistan, showing that they could succeed despite the obstacles.

**2. Justice Ayesha Malik:** In 2022, Justice Ayesha Malik was appointed the first female judge to Pakistan's Supreme Court, marking a historic moment. Her rise symbolizes hope for future generations of women in the legal profession, showcasing that breaking through the glass ceiling is possible.

**3. Growing Female Participation:** There has also been a growing number of female lawyers and judges

at lower levels of the judiciary. More women are now pursuing legal education and entering the profession, and women's legal associations have been actively working to address issues of gender discrimination.

### **Legal Reforms and Future Prospects**

Addressing gender discrimination in the legal field requires legal and cultural reforms and shifts in how society views women's roles in professional spaces. Potential solutions include (Tu & Hardesty, 2023).

**1. Policy reforms:** Introducing policies that ensure equal pay, encourage female representation in leadership roles, and protect women from workplace harassment would go a long way in addressing discrimination (Lai & Bowrey, 2024).

**2. Mentorship and support networks:** Creating mentorship opportunities and support networks for female lawyers can help them navigate the profession's challenges more effectively (Thornton, 2023). These networks can provide guidance, professional development, and a sense of community.

**3. Cultural change:** Beyond legal reforms, changing societal attitudes toward women in professional roles is crucial. Education campaigns, media portrayals, and advocacy from within the legal community can help shift perceptions about women's capabilities and professional roles (Anheier & Markovic, 2024).

### **Discussion**

Gender discrimination in the legal field in Pakistan remains a significant challenge despite progress in women's education and professional participation. Traditionally, the legal profession in Pakistan has been dominated by men, leading to systemic barriers for women. These barriers manifest in various forms, including limited opportunities for career advancement, unequal pay, and gender-based biases within legal practices and judicial institutions. Female lawyers often face discriminatory attitudes from male colleagues, clients, and even the judiciary. In courtrooms, women lawyers frequently encounter a lack of respect and are often not taken as seriously as their male counterparts. This hostile environment discourages many from fully engaging in high-stakes legal roles such as litigation.

Additionally, the glass ceiling remains a major hindrance, with few women reaching senior positions in law firms, judicial appointments, or as members of bar councils. Moreover, societal expectations and cultural norms regarding gender roles further

exacerbate this issue. Women lawyers are often expected to balance demanding legal careers with traditional family responsibilities, making it harder for them to compete on an equal footing with male lawyers. Harassment and inappropriate behavior in the workplace also continue to be prevalent, which undermines their professional development and personal well-being. Despite these challenges, many women have made significant strides in the legal profession in Pakistan. Female lawyers and judges, such as Asma Jahangir and Justice Ayesha Malik, have broken through barriers, serving as role models for future generations. However, achieving true gender equality in Pakistan's legal field will require continued reform, greater awareness, and active support for women's rights.

### CONCLUSION

Gender discrimination in the legal field of Pakistan is a multifaceted issue deeply rooted in cultural, societal, and institutional factors. While women have made strides in entering the legal profession, they face significant barriers to career advancement, workplace equality, and societal acceptance. The literature reviewed highlights the need for a comprehensive approach to addressing these issues, including legal reforms, institutional changes, and societal shifts in attitudes toward gender roles. Only through sustained efforts at multiple levels can gender discrimination in Pakistan's legal field be meaningfully addressed, paving the way for a more equitable and inclusive profession.

Gender discrimination in the legal field in Pakistan remains a significant challenge despite progress in women's education and professional participation. Traditionally, the legal profession in Pakistan has been dominated by men, leading to systemic barriers for women. These barriers manifest in various forms, including limited opportunities for career advancement, unequal pay, and gender-based biases within both legal practices and judicial institutions. Female lawyers often face discriminatory attitudes from male colleagues, clients, and even the judiciary. In courtrooms, women lawyers frequently encounter a lack of respect and are often not taken as seriously as their male counterparts. This hostile environment discourages many from fully engaging in high-stakes legal roles such as litigation. Additionally, the glass ceiling remains a major hindrance, with few women reaching senior positions in law firms, judicial appointments, or bar councils.

### RECOMMENDATIONS

- 1. Enforce Equal Pay Legislation:** Implement and enforce laws that mandate equal pay for women and men performing the same legal work. Law firms and legal institutions should be held accountable for maintaining pay equity.
- 2. Increase Female Representation in Leadership:** Encourage the appointment of women to senior positions in law firms, bar councils, and the judiciary. Gender quotas for leadership roles can ensure more equitable representation.
- 3. Promote Gender Sensitivity Training:** Mandatory gender sensitivity training for lawyers, judges, and court staff can help reduce biases and promote respect for female professionals in the legal environment.
- 4. Strengthen Anti-Harassment Policies:** Develop and enforce robust anti-harassment policies in legal workplaces. Law firms and bar councils should establish safe and confidential reporting mechanisms for sexual harassment cases.
- 5. Establish Mentorship Programs:** Create mentorship networks for female lawyers, connecting them with experienced professionals who can guide them through career challenges, offer support, and open doors to career advancement.
- 6. Improve Maternity and Family Support:** Introduce maternity leave, flexible working hours, and childcare support within law firms and legal institutions to help women balance professional and personal responsibilities.
- 7. Judicial Reforms for Gender Equality:** Encourage judicial reforms prioritizing gender equality, such as fairer recruitment practices for judicial appointments and promotion of female judges in higher courts.
- 8. Raise Public Awareness on Women's Legal Rights:** Launch media and awareness campaigns that highlight the contributions of female lawyers and advocate for gender equality within the profession to challenge societal perceptions.
- 9. Support Women's Legal Associations:** Strengthen women-led legal associations and empower them to advocate for policy changes, hold institutions accountable, and promote women's interests within the legal community.
- 10. Research and Data Collection on Gender Discrimination:** Conduct comprehensive research and data collection on gender disparities in the legal field, using this information to inform policies, measure progress, and identify areas for further improvement.

## RESEARCH LIMITATIONS

The research on gender discrimination in Pakistan's legal field faces several limitations. First, there is a lack of comprehensive, up-to-date data, especially regarding pay disparities and the representation of women in leadership positions. Most available data is anecdotal or limited to specific geographic areas, making it difficult to generalize findings nationwide. Second, societal and cultural barriers make it challenging to collect firsthand information, as many women may be hesitant to openly discuss issues such as harassment or discrimination due to stigma or fear of retaliation.

Additionally, the legal profession in Pakistan is highly stratified, with experiences varying widely between urban and rural areas, further complicating the scope of research. Lastly, the evolving nature of gender roles and legal reforms may cause research findings to become outdated quickly, as ongoing changes in society and policy affect the dynamics of gender discrimination within the profession.

## RESEARCH IMPLICATIONS

The implications of research on gender discrimination in Pakistan's legal field are significant for both policymakers and the legal profession. First, the findings highlight the urgent need for legal and institutional reforms to promote gender equality, including enforcing anti-discrimination laws and introducing gender-sensitive policies in law firms, bar councils, and judicial appointments. These insights can drive efforts to implement equal pay policies, increase female representation in leadership, and create safer workplaces through strengthened anti-harassment mechanisms.

For legal education, research can encourage law schools to incorporate gender studies and promote the mentorship of female students, fostering an inclusive environment from the outset of their careers. Additionally, this research can serve as a foundation for further studies, prompting a more in-depth analysis of regional differences, workplace dynamics, and the impact of legal reforms on gender equity. Addressing these issues can ultimately pave the way for a more inclusive and equitable legal system in Pakistan.

## FUTURE RESEARCH DIRECTIONS

Future research on gender discrimination in Pakistan's legal field can take several critical

directions to deepen understanding and address gaps. First, comprehensive, quantitative studies are needed to explore gender disparities in employment, pay, promotion, and leadership across various law firms, bar councils, and courts. Gathering detailed statistical data will allow researchers to track the scope of the problem better and monitor progress over time. Second, regional and rural-urban comparisons can help identify how gender discrimination varies in different parts of Pakistan, particularly in rural areas where traditional patriarchal norms are more entrenched. It can offer insights into region-specific challenges and inform localized interventions.

Third, intersectional analysis should be conducted to examine how other factors like class, ethnicity, and religion intersect with gender, affecting the experiences of women from diverse backgrounds in the legal profession. Additionally, an intersectional approach should be adopted in future research to examine how gender intersects with other factors such as class, ethnicity, and religion. Women from marginalized communities, such as religious minorities or lower socio-economic backgrounds, may face compounded discrimination in the legal profession, requiring targeted interventions.

Further research could also focus on the role of male allies within the legal profession and their potential to support gender equality initiatives. Studies exploring how male colleagues, superiors, and judges can act as allies in dismantling discriminatory practices could provide valuable insights into fostering an inclusive work environment.

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