

research snapshot

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York Researcher Shows How Women Lawyers Overcame Barriers

What is this research about?

At the turn of the twentieth century, there was a considerable optimism for progressive change. For the first time, in many societies, woman had gained the right to vote and also access to higher education. The legal world was not unaffected. New arrangements for work, new organizations, and new approaches to education resulted in new opportunities. Women began to pursue careers in law. However, although many were able to challenge their exclusion from the legal profession, the profession was still shaped by centuries-old arguments about gender and law. In other words, although women gained entry to the law they did not necessarily challenge its more sexist assumptions. What barriers and biases did women in law face at the turn of the twentieth century?

What did the researcher do?

Mary Jane Mossman, a Professor at Osgoode Hall Law School, looked at the lives of women lawyers in the late nineteenth and early twentieth centuries. She studied the first women who tried to become lawyers in six places: the United

What you need to know:

Although women lawyers faced many challenges at the turn of the twentieth century, many of them found ways to work in law.

States, Canada, Britain, New Zealand, India, and Western Europe. She also used secondary materials, such as histories of legal professions and biographical studies of women lawyers. She focused on a large number of litigated cases and legal arguments in professional journals, the press, and archives.

What did the researcher find?

By looking at individual lives, Professor Mossman showed how women came up with strategies to overcome barriers to professional work in law. For example, although some women were successful in gaining admission to the bar, they frequently faced roadblocks in their attempts to practise successfully. At the same time, other women were not successful in gaining entry to

the legal professions. But some of these women still managed to succeed in doing legal work. In this way, Professor Mossman identified how shifting and contested ideas about both gender and legal professionalism shaped women's opportunities and choices. In addition, she revealed how the admission of women to the bar was a lively issue at the turn of the twentieth century. Women sometimes received support for their aspirations from male judges and lawyers; but often they experienced continuing opposition and resistance.

How can you use this research?

This research improves our understanding of the challenges that women have faced in the legal profession. It also applies to the challenges faced by women today. More research, however, is necessary on issues about law and gender in the history of women lawyers.

About the Researcher

Mary Jane Mossman is Director of the Institute for Feminist Legal Studies at Osgoode Hall Law School, York University.

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