

WOMEN SOLICITORS: TO TREAT THE SAME OR DIFFERENTLY?

Should female and male solicitors be treated the same?

YES = equal treatment

BUT this does not produce equality of outcome:

For over 20 years, more than 50% of newly qualified solicitors have been female, but still approximately 80% of partners are male. Also there is a persistent pay gap problem between the sexes. The legal profession has a severely leaky pipeline for women, but not men.



Are men and women different? Is it fair to treat them differently?

Carol Gilligan:

“Within a patriarchal framework, care is a feminine ethic. Within a democratic framework, care is a human ethic.”
(p.22, 2011)



Catherine Hakim: “...preference theory is an explicitly unisex theory which shows that in modern societies sex and gender are now redundant concepts, which cease to be important factors and are already being replaced by lifestyle preferences as the crucial differentiating characteristic...”
(p.125, 2007)