

# Leadership Essentials for Women in Law



IAWL LEADERSHIP ACADEMY



## THE INSTITUTE FOR AFRICAN WOMEN IN LAW

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# **Table of Contents**

Speakers and their affiliations	
Executive Summary	ii
Introduction	2
The Importance of Women's Leadership	4
The Evolution of Women's Leadership in Law	
Across Africa	6
Leadership Essentials	9
Challenges for Women in Leadership	10
Strategies for Women's Leadership Success	12
Strategy 1: Sponsorship for Leadership	12
Strategy 2: Prepare Junior Women for Leadership	12
Strategy 3: Develop Leadership Competencies	
among Mid and Senior-Level Women	13
Strategy 4: Train Women to be Role Models	14
Strategy 5: Promote Women to Leadership in	
Firms and the Profession	15
Conclusion	16
Poferences	17

# **Speakers and their Affiliations**



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## Tadala Chinkwezule

Former President Malawi Women Lawyers Association



## Sheila Minkah-Premo

President
Ghana Bar Association Women's Forum



# Michaella Eddina Swallow

President Sierra Leone Bar Association



# Pheona Nabasa Wall

President Uganda Law Society

#### **Executive Summary**

The push for gender equality across all societal sectors has been increasingly gaining momentum for some time now. However, a study on women in leadership positions by UN Women Statistics in 2021 showed that the presence of women in top leadership positions has been relatively stagnant over the last few decades (UN WOMEN, 2021). With the increasing awareness of and changing perceptions about gender equality, much more must be done to bridge the gender gap in various spheres and sectors. While vouching for women's integration into organizational leadership in various sectors, several studies, particularly those from the Pew Research Center and the American Association of University Women (AAUW), have explained why women do not hold many leadership positions compared to those held by men. Yet studies, like the Harvard Business Review (2019), have found that women have higher success rates than men in handling high-risk cases due to better emotional intelligence. This means that women are better equipped to manage top positions due to the possession of specific skills and character traits.

In 2021, the Institute for African Women in Law (IAWL) and the Commonwealth Lawyers Association held a webinar on "Leadership Essentials for Women in Law." In the webinar, the panelists defined what leadership means to each and identified several essential skills necessary for leadership. According to them, these range from professional excellence to flexibility, which serves as the bedrock for successful leadership by women lawyers. They also provided insight into their various professional experiences, making it easy to identify that while they were all aspiring to leadership positions. Factors such as societal orientations and the culture in their countries played a crucial role in determining the leadership opportunities available to them as women. This report presents evidence in the literature on women's leadership in the legal profession. It explores the history of women's leadership in the African legal profession and the challenges peculiar to women leaders on the continent. It also highlights the relevant skills needed for women to succeed in top leadership positions in legal practice, as expounded by the distinguished panelists.

Lastly, the report proposes strategies that would enable women to hone the necessary skills for success in leadership positions and effectively harness the opportunities that these positions present. The panelists recommended the creation of groups aimed at promoting women's leadership, the identification of women leaders in law, and the need for women desirous of leadership positions in the legal industry to possess essential qualities such as trust, maturity, interpersonal skills, strategy, confidence, and resilience are critical to promoting women's leadership in law.



#### 1. Introduction

On October 28, 2021, the Institute for African Women in Law (IAWL) collaborated with the Commonwealth Lawyers Association to host a webinar on the "Leadership Essentials for Women in Law." The webinar consisted of a moderated panel discussion, with the panel comprising Michaela Eddinia Swallow (President, Sierra Leone Bar Association), Pheona Wall (President, Uganda Law Society), Sheila Minkah-Premo (President, Ghana Women's Forum), Tadala P. Chinkwezule (Former President, Malawi Women's Lawyer Association). Pedi Obani moderated the webinar, a University of Bradford School of Law lecturer.

The panel discussed a range of questions, including

- (a) What leadership is and whether leaders are born or made,
- (b) What skills the panelists considered essential for every woman leader in law, and
- (c) how women in law can develop these skills.

In addition, the distinguished panelists offered insights into their personal experiences and perspectives regarding women in leadership at the bar and the intervening factors affecting women's leadership in the law profession in their respective jurisdictions.

There is no universally accepted definition of leadership. However, common denominators allow us to identify people in leadership positions, including influence, authority, and achieving a common goal. Leadership can be defined as the process by which an executive (or, more broadly, a person) directs and influences the behavior and labor of other people toward accomplishing particular purposes (MSG, 2015). It is the capacity to influence the behavior of others to realize a common goal. Leaders are necessary to attain objectives and visions in any organization; they do so by encouraging organizational members. Sheila Minka-Premo stated, "Leadership is the ability to take the lead, to achieve expected goals or to provide." Ms. Swallow defined leadership as "...a process of influencing others to understand and agree about what needs to be done, how to do it, and the process of facilitating individual and collective efforts to achieve the shared objectives."

Leadership does not only come from holding an office. The aptitude to influence and lead other people can come from various sources, such as revenue generation, client loyalty, and personalized attributes. Leadership in all spheres is a trait that needs to be nurtured and requires the ability to influence followers. Tadala Chinkwezule captured these points in her submission: "Leadership...is [about being] able to influence and motivate people towards a certain vision...It [is also important] how you work towards being a leader, position yourself and are even sponsored into [being] a leader, a visionary, and influential. And on the other hand... you need mentors and people to coach you and to sponsor you." Pheona Wall also observed that "to be a leader, you have to have followers" Thus, a leader must brace themselves for the following questions: "Are you able to have followers? Are you able to nurture your followers? Are you able to reflect on yourself? Can you replicate people that read yourself and create people with the same value that share your vision and that are going to carry on whatever you're doing?"

In legal practice, leadership positions range from partner status at firms to head of legal operations for in-house practitioners. Traditionally, consideration for occupying these roles was only given to men, but gender should not be a limiting factor for any profession (Kathryn, Erin, and Neil, 2017). Various opportunities exist for women to lead in the legal field, so women must be empowered to become influencers and champions of change. Leadership opportunities can also emerge based on the structure of law firms. For example, a decentralized structure within a law firm could create leadership opportunities. Therefore, women must gain leadership skills early in their careers to take advantage of such decentralized structures. Notably, leadership is not synonymous with management, but efficient leadership does need management skills. This report relied on two research methods, that is, through structured literature reviews and online research.

#### 2. The importance of women's leadership

Leadership is not gender-specific. However, globally, women are making their leadership presence felt. Women are constantly evolving and reaching new milestones in leadership, which has led the world to witness the advent of such phenomenal female leaders as Ngozi Okonjo Iweala (first African woman director of the World Trade Organization (WTO)), Kamala Harris (first female vice president of the United States), and Meaza Ashenafi (first woman chief justice of Ethiopia).

There is evidence of the value of gender inclusiveness and the value women bring to leadership positions. For example, a poll conducted by the Association of Corporate Counsel (ACC) in 2012 found that more than 50% of Canadian in-house counsel consider a firm's diversity (including female representation) policy when retaining external lawyers. Most of those entering the legal profession are women, so firms and organizations must commit to inclusive policies and practices to attract and retain the best talent. Also, the study conducted by the Law Society of Upper Canada (2013) (now known as the Law Society of Ontario) evidenced that companies, institutions, and firms with a higher percentage of female leaders recorded better financial results, provided opportunities for mentorship of younger women lawyers, had a higher quality of leadership, and ranked higher on measures of corporate social responsibility. Even now, clients consider a firm's level of diversity before deciding whether to hire them as transactional counsels.

Recent studies have also shown that women are strong leaders. A 2020 study by Florida International University found that women and men do not differ in their perceived effectiveness as leaders (Brower, 2021). Similarly, a study by McKinsey & Company (2021) showed that women are better at helping employees navigate work-life challenges and spend more time contributing to diversity, equity, and inclusion efforts. A study by ResumeLab (2021) showed that more people welcomed having women as their leaders.

<sup>&</sup>lt;sup>1</sup> See also Brower (2021).

The study showed that 38% of people prefer to work for a female boss compared with 26% who choose to work for a man. The progressive state of women's leadership provides the African legal industry a chance to become more resilient, solve problems and innovate toward greater happiness, fulfillment, and achievement. For any institution to function effectively in the 21st century, there must be equal participation of women and men in leadership. As identified in the webinar, some essential leadership qualities include the ability to collaborate, connect, empathize, and communicate. All these qualities are supposedly feminine and can help build a more sustainable future. Gender parity in leadership is important because actual progress requires diversity in leadership (Tutorialspoint, 2021).

Given the increasingly high value placed on diversity, especially in the workplace, the leadership of various law firms should prioritize gender diversity in the firm's team and client base. Law firms and companies run by a diverse group of leaders are likely to be in tune with the needs of the public and better suited to handle the demands and interests of clients. The presence of more women in leadership positions would also result in a more diverse leadership style culture within the firm. The Harvard Business Review (2019) study showed that women leaders perform better than men in 12 out of 16 leadership competencies, including the drive for results and taking the initiative, which is considered predominantly masculine. Another study found that men were more task-oriented and focused on the bottom line, whereas women showed more strategic drive, people skills, and innovation (OECD, 2016). To balance out the competencies of women and men in leadership, law firms need to increase their efforts and commitment to promoting women's leadership.

#### 3. The evolution of women's leadership in law across Africa

According to a study by The Law Society, UK (n.d.), more than 60% of new entrants into the legal profession globally since 1990 have been women. The same study also shows that more women than men have been practicing as solicitors in recent years. Although these statistics are encouraging, more men still hold leadership positions in the profession—evidence that more work still needs to be done. When discussing the current state of women's leadership in the legal profession, the history of women in leadership positions must be considered. The contributions from the panelists reveal a picture of mixed progress on leadership by women in law, with only a few countries, such as Sierra Leone, having a long history of women leading their country's bar association.

Ms. Swallow, discussing the situation in Sierra Leone, stated that women's leadership in the legal profession in the country started a long time ago. Thus, the idea of women leading the legal profession was not new in Sierra Leone. The first female lawyer in Sierra Leone was Madame Francis Claudia Wright, who was called to the Bar in 1941 and was also the President of the Sierra Leone Bar Association. In 1996, Ms. Hannah Ahmed was elected for a one-year term. In 2016, Rhoda Sufian- Kargbo Nuni served for a two-year term at the Bar. After Ms. Eddinia Michaela Swallow was elected in 2019 as the vice president, unopposed, and then in 2020, she was elected again, unopposed, as the president of the Sierra Leone Bar Association. Ms. Swallow also emphasized that the male counterparts in the legal profession in Sierra Leone developed confidence in female bar leaders over the years, and this promotes equal opportunities for both men and women.

Sheila Minka-Premo elaborated on the history of women's leadership in law in Ghana, starting in 1957 with the country's independence. Since then, Ghana's Bar association has had only one female vice president for two terms. Attempts to have a woman president of the bar have failed twice. Ms. Minka-Premo noted that from the current demographics of the country, more women are getting admitted into the bar, and with time, the country would start to see women trickle up as leaders in the legal field.

Tadala Chinkwezule shared her experience with vying for the leadership of the bar association in Malawi. She was first the vice president of the Malawi Law Society and then contested for the presidency in 2019, which she lost. She went on to lead the Women Lawyers Association before vying again for the position of president of the National Bar Association in 2021; but, again, she lost, although by a smaller margin of 20 votes—as compared to 30 votes the first time. Overall, at least three women have contested for the presidency; two were former vice presidents of the Law Society. To her mind, this means "that going forward, there's a probability that [a] Malawian lady can lead the Malawian Law Society."

"I think the biggest challenge for women in Uganda, is the culture. There's a lot of chauvinism in the law society.... it's very hard to sell the idea of a woman being President or even say why are you too ambitious." - Pheona Nabasa Wall

The story of Uganda is also a remarkable and encouraging one for advocates of women's leadership in the legal profession. Pheona Wall recently emerged as the first female president of the Ugandan Bar Association. In addition, most of the top executive members (including the vice president, treasurer, secretary, council member, and solicitor general) are women.

Table 1 shows the history of African women in leadership in the legal profession in selected African countries.

Table 1. History of African women in leadership in the legal profession

COUNTRY	FIRST FEMALE LAWYER	FIRST FEMALE JUDGE
Algeria	Blanche Azoulay (1908)	Belmihoub Aziz (1962)
Benin	Hélène Aholou Keke (1974)	Elisabeth Ekoué Pognon (1965)
Cameroon	Miriam Weledji (1968)	Florence Rita Arrey (1990)
Egypt	Naima Ilyas al-Ayyub (1933)	Tahani al-Gebali (2003)
Lesotho	Kelello Justina Mafoso-Guni (1980)	Kelello Justina Mafoso-Guni (1992)
Mauritania	Fatimata M'Baye (1985)	Amamah Bint Cheikh Sidya (2013)
Rwanda	Agnes Mukabaranga (1994)	Immaculée Nyirinkwaya (1997)
Senegal	Mame Bassine Niang (1975)	Marie José Crespin
South Africa	Irene Antoinette Geffen (1923)	Leonora van den Heever (1969)
Tunisia	Juliette Smaja Zerah (1916)	Emma Chtioui and Joudeh Jijah (1968)
Uganda	Princess Elizabeth Christobel Edith (1965)	Laeticia Kikonyogo (1968)
Zimbabwe	Phyllis Mackendrick (1928)	Thérèse Striggner Scott (1983)

Sources: Library of Congress, Duke Law, Britannica

#### 4. Leadership essentials

When women become leaders in law firms, the firms, other women, and society benefit in several ways. However, for women to become exceptional leaders, they must cultivate particular character traits and skills early in their careers. These character traits are essential in ensuring that women leaders steer the organizations and the people they lead in the right direction. The panelists identified several essential skills, ranging from professional excellence to flexibility, which serve as the bedrock for successful leadership by women lawyers.

First, women who want to be successful leaders must be professionally excellent. Lawyers may be promoted to leadership positions based on professional excellence, but successful leadership requires much more than producing excellent work for clients. Women must produce positive results for their law firms and show why they are the best fit. Second, women leaders must possess the ability to know how and when to initiate the needed action. Women in leadership must communicate policies, plans, and actions to their subordinates to execute such projects from start to finish properly. Third, women leaders must be able to motivate their teams. Initiating action is essential, but depending on the nature of the project and the team involved, the leader may have to employ diverse incentives or rewards to motivate team members during the project. A good leader must strike the right balance between using such rewards to boost team productivity and ensuring that employees do not become overly reliant on compensation to perform their assigned tasks.

Women who want to be successful leaders must also be flexible and think on their feet. The world is dynamic; unforeseen challenges will always arise. Accordingly, women leaders must know how to think strategically to adapt to changing times without compromising the values of their firms or organizations and their client's interests. In addition, women desirous of leadership in the legal industry must possess other important qualities: trust, maturity, interpersonal skills, strategy, confidence, and resilience.

#### 5. Challenges for women in leadership

The structure and politics of the legal practice present several challenges for its leadership. While it is well-established that men and women face obstacles, they do not typically meet the same type of obstacles due to differences in cultural perceptions and socially constructed gender roles for men and women. The panelists were unanimous in observing that although significant efforts have been made toward ensuring gender equality in the workplace, the challenges women face in attaining leadership positions persist in most cases. Some of the challenges that were highlighted in the discussion are:

- Bias in systems and attitudes: On the evolution of women's leadership in law in Uganda, Pheona Nabasa stated that the biggest challenge for women in attaining leadership positions is cultural bias and preconceptions of how a female president should look. Tadala Chinkwezule identified "an unconscious bias" as a challenge against women leading big organizations or groups with male and female membership. Generally, masculine qualities have historically been considered to align more with leadership roles in law firms. Although this idea is gradually changing, women still face unconscious bias within law firms, especially when aiming for leadership. This unconscious bias has created a two-edged problem for women leaders in law. Women who align with feminine stereotypes are usually not considered strong enough to lead, whereas women who are more masculine in their conduct are seen as militant and ambitious. Also, because women are held to higher standards, they have had to prove their leadership ability compared to men constantly. These stereotypes and biases must be confronted to increase women's inclusion in the workplace.
- Shortage of senior women lawyers: There is a shortage of women in senior roles in law
  firms. The number of men in leadership positions outweighs the number of women.
  Nevertheless, the number of women in junior and mid-level roles is increasing; it is
  believed that the gap will close over time, and more women will be poised to rise to
  the top (Kathryn, Erin and Neil, 2017).

- Identification of candidates for leadership: Some women may never pursue leadership because there aren't enough examples of women leaders. Women who do not have a mentor or role model to look up to and tell them when they are ready for leadership roles may also be unable to recognize their leadership potential properly. Furthermore, women tend to put undue pressure on themselves over their performance as leaders and in professional settings. As a result, most women would only apply for jobs they feel 100% qualified for— whereas most men would apply even if they meet about 60% of the requirements (Clark, 2014).
- Work-life balance: This balancing problem is not peculiar to women but also affects
  men as both may struggle to balance their private lives with a demanding law practice.
  However, the challenge is more pronounced for women with family responsibilities
  because of their societal-assigned role as primary caregivers in the home and society.
- Limited access to influential mentors and sponsors: Although (just like men) women are
  likely to seek out mentors, the Harvard Business Review (2019) study showed that, due
  to the scarcity of mentors and sponsors, it is more difficult for women to find
  appropriate role models to support their leadership pursuits.
- Leadership fatigue: Another challenge women who are already in/ trying to attain leadership roles face is leadership fatigue, which occurs because fewer women are in leadership positions. Hence, the same women are repeatedly called on to fill leadership positions, which may wear them out. Also, some law firms still engage in tokenism. They believe that since they have a few women leaders, they do not have a shortage of women in leadership.
- Workplace culture and politics: The culture and politics in law firms could negatively impact the selection of women in leadership positions. Although some firms have different leadership styles and actively champion women in leadership, several other firms only accept leaders that comply with a masculine leadership model (where only a few women thrive). In addition, women have historically received little mentoring in navigating law firm politics and strategically choosing leadership roles. These challenges must be tackled with the utmost urgency to advance women's leadership in law.

#### 6. Strategies for women's leadership success

The panelists proposed five strategies for promoting successful leadership by women lawyers.

#### Strategy 1: Sponsorship for leadership

Sponsors invest in an individual's success by appointing or promoting them to leadership roles. Sponsorship, unlike mentoring, is not limited to meetings and coaching sessions. Sponsorship is a long-term arrangement and requires encouraging, fighting for, and creating opportunities for high-potential individuals to advance. Sponsors should be people who are popular and hold notable positions. Since there are still relatively few senior women in law firms, most people who are in a place to be sponsors are men. However, men and women must act as sponsors for women by investing in their success and progress toward leadership. To attract sponsors, women who want to occupy leadership positions must demonstrate their potential to well-placed people. They can proactively seek sponsors by identifying those in positions to champion them and build lasting relationships. Once a potential sponsor discovers the quality of a person's work, the person can initiate the sponsorship relationship by asking for help with a goal in mind. A sponsor will be more likely to help if requested to do something definite. Once a sponsor begins to champion them, they will likely continue in this stead, as the sponsor would become invested in their success. If the woman already has a strong relationship with a sponsor, the sponsor can talk to her about her leadership goals and advocate for her promotion to available leadership positions.

#### Strategy 2: Prepare junior women for leadership

In the early stages of their legal careers, women should develop solid legal skills, client relationships, and firm credibility. Women should position themselves for leadership by creating a plan, seizing opportunities, seeking out role models, and developing a reputation as leadership material. A leadership plan outlines their career vision, goals, and the actions necessary to achieve those goals.

This plan is important because it can help women increase their likelihood of being nominated for leadership positions when the need arises. Sheila Minka-Premo, during the webinar, emphasized the need for young women to be encouraged to showcase their talent in various roles before pushing them to be leaders. According to her, "when opportunities are created for different positions, [although] the ultimate is the presidency, let women go into all the other positions... then do well in whatever position you're in, then you can move up."

There are various pathways to leadership in a law firm, and a woman's strategy should suit her skills and values. For a woman to become a leader, others in her firm must think of her as a potential leader, increasing the likelihood of being offered leadership opportunities. In addition, more experience will enhance a woman's reputation as a leader, and opportunities to develop her leadership will continue to come her way.

".... the key thing for us in Sierra Leone is mentorship.... mentorship programs where you get girls to show and display their leadership skills" - Michaella Eddinia Swallow

#### Strategy 3: Develop leadership competencies among mid and senior-level women

At mid- and senior-career levels, women should continue to develop their leadership skills by exploring leadership opportunities and experience. The exposure will also enable them to develop their leadership style. Experience is important in mastering how to lead. A common way to start is by seeking out lower-level leadership roles, such as heading a project, committee, or client team. Women can also explore opportunities for external leadership positions in professional associations or industry groups. External leadership positions would serve as stepping stones to eventually leading a law firm for women who would like to lead law firms. Likewise, women can build leadership experience by attending professional development programs to expand their leadership expertise.

However, it is expedient for women to choose such roles objectively after considering every opportunity. Participation in these opportunities would provide a good platform to understand the important issues in the legal industry in one's jurisdiction and how legal organizations are run.

Engaging in these experiences also helps women to gain visibility among partners and earn a reputation as effective leaders. Women may consider the following foundational questions when deciding on what opportunities to explore:

- What are the committee options?
- Does the firm have other leadership positions aside from committees?
- What committees does the firm have?
- · How powerful are each of the committees?
- What is the time commitment for participating in each committee?
- How does committee work affect the compensation and client relationships of members?

After carefully considering these (and other personal) questions, women will be better positioned to choose the most suitable and beneficial options.

"If you do have a women's committee at your bar, please use it as a focal point to try to push. And you need to keep pushing until you are given the space" - Sheila Minka-Premo

#### Strategy 4: Train women to be role models

Law firms and companies should work to train mid- to senior-level women lawyers to be role models for women in their early legal career as well as other women lawyers. The Law Society of Upper Canada (2013) highlighted desirable qualities for role models, such as the following:

- Optimism and enthusiasm for the profession and the firm
- Ability to gracefully self-promote without alienating others
- Humility
- Investment in the development of others
- Effective delegation of work
- Effective balance of work with other obligations
- Cordial relations with colleagues at all levels, from senior partners to administrators
- Good communication and listening skills
- High level of competence

Law firms and organizations must identify and promote women role models in their firms, reward lawyers who have played positive role models in their firms and emphasize the importance of being effective role models for both men and women.

#### Strategy 5: Promote women to leadership in firms and the profession

In many situations where women occupy leadership positions, even in governance and public life, it takes a conscious effort to institutionalize policies and programs to ensure women move up the hierarchy. So, there is a need for advocacy to push for affirmative action in governance and other sectors, including women. In law firms and the legal profession, selection procedures for leadership roles are hardly formalized. Even in cases where procedures are followed, the few people who have significant influence are most likely to occupy the desired role already. Firms should include women and other minorities on the leadership slate to create a more inclusive process.

Additionally, a more transparent leadership selection process will improve leadership decision-making. Leadership within the profession can bring women respect and influence. It can also help women to develop leadership skills transferable to different environments outside law firms. Also, women who serve on the executive committees or boards of professional organizations can achieve enhanced status and visibility and expand their network of professional contacts. Finally, law firms can consider nominating their female lawyers for honors and awards to raise the profile of outstanding women in the profession.

"....as women that are in other leadership position, what I've learned in a male-dominated space is to make a case for fellow women. So, if I'm sitting in a boardroom, they're saying, can we have CVS? Or can we nominate some people for this board? I'm likely going to make sure that we have women that are nominated" - Tadala Chinkwezule

#### 7. Conclusion

From a previous position of obscurity, more women since the 1970s are entering the legal profession, and even the judiciary is being feminized (Menkel-Meadow, 1986). There are increasing numbers of female leaders in the legal sector, and it is important to empower all women to be change-makers and leaders in their respective endeavors. Women in leadership in law would advance global and regional sustainable development goals linked to gender equality, including the United Nations' 2030 Agenda for Sustainable Development and the African Union's Agenda 2063. Moreover, gender equality is good for business.

The "Women in the Workplace" and "Delivering Through Diversity" reports from McKinsey & Company (2021), for instance, confirm the compelling business benefits of equal treatment and gender balance in the workplace. Even in countries where women have emerged as leaders in the bar association, there is still a need for more dialogue, clear commitment, and tangible affirmative actions to achieve full gender parity. There is also a need for a cultural shift in the legal profession to enable women to reach their full potential as change-makers and leaders and engage with their male counterparts positively and supportively. That way, the stage is set to promote young women's involvement in leadership positions. Finally, women need to remember that there should be no room for disrespecting their female colleagues. Instead, they are responsible for building up their capacity and empowering early- and mid-career female lawyers through mentorship. Ultimately, leadership is all about capabilities, and there is a need to empower and support women in leadership strongly.

In concluding the discussion, Dr. Pedi Obani emphasized the need to shed light on women's achievements while also pressing for more opportunities for women in the legal field. She says it is necessary to do this because "we're doing it not just for us, we're also doing it for those coming behind us. So, whatever inconveniences we may face in the process, we are bearing it, not only for ourselves but for future generations."

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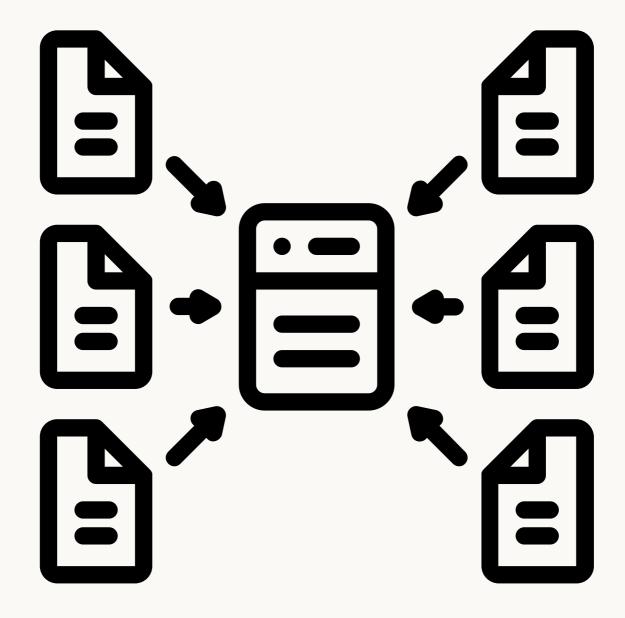
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