

ADVERTORIAL CLIFFE DEKKER HOFMEYR

LAWYERS BREAKING BARRIERS

Two CLIFFE DEKKER HOFMEYR legal practitioners are making inroads into previously male-dominated areas and opening doors for other women to follow

Marelise van der Westhuizen, director – dispute resolution, has amassed experience in legal practice and leadership. She has broken “age-old barriers” by heading up the South African office of one of the top international law firms. Zodwa Malinga is an associate in the construction and engineering sector. Her area of practice remains a niche area of law. One that is, for the most part, still male-dominated – that, too, is breaking an age-old barrier. Navigating the construction legal advisory sector is challenging for women, especially young black women.

There are differences in areas of specialisation between the two lawyers, however, there is one common feature: accessing spaces historically male-dominated. Through these two females (and others), we recognise the strides made over the past few years in training and retaining women in the legal industry, especially in niche areas of practice. However, says van der Westhuizen, women in the legal sector still face different challenges than men. “I rarely hear a man ask for advice on how to combine parenthood and a career as a lawyer. So much more work needs to be done,” she comments.

Last year (2023) marked a century since women were admitted to the legal profession. However, the promulgation of laws did not mean a rapid change in the status quo. On the contrary, women are still under-represented in the legal profession.

This rings true for practice areas historically dominated by white males. Men of all races have been able to navigate practice as seen in the

male representation in the judiciary, particularly the Constitutional Court, since the advent of the Constitution. Now, 30 years into our democracy, the head of the judiciary is a black woman, indicative of the country’s commitment to transformation and female empowerment.

FEMALE MENTORSHIP NEEDED

Private legal practice has to some extent demonstrated an eagerness for transformation and women empowerment through the training and retention of women. More remains to be

done. It matters that women are represented not only in leadership, but also in all areas of practice. It matters that young women coming from institutions of higher education to be trained as candidate legal practitioners have women mentors and leaders. Firstly, to eliminate the stereotypes of women leaders. Secondly, to see that they too can become leaders and mentors. Mentorship

is the biggest contributor to women’s growth in industries such as the legal industry. As novelist Toni Morrison said: “When you get these jobs that you have been so brilliantly trained for, just remember that your real job is that you are free, you need to free somebody else. If you have some power, then your job is to empower somebody else.”

“Our job as women lawyers, young and old, is to ensure that we all are and remain free,” says van der Westhuizen.

A fundamental aspect of corporate legal practice is problem-solving. Clients come to us with problems that require us to apply ourselves through collaboration and give them the best solution possible. The required skills are acquired through patience and practice. Lawyers do not always agree on a solution. We engage on, for example, a provision of a contract and debate its interpretation. We may not always agree on *the* solution, but we

present arguments and counterarguments for proper preparation. That is when everyone’s voice is (and should be) heard. It does not matter how junior one is. A solution is required and a legally trained individual should be allowed to contribute to the debate. That is how training takes place. We are obligated to ensure that young women feel safe enough to have and express a view on a matter. Importantly, everyone’s contribution should be acknowledged.

Junior and senior lawyers must engage to learn from each other. Junior attorneys contribute to legal developments daily under the guidance of senior attorneys. That is mentorship. Such guidance must be deliberate and intentional. Junior women attorneys must allow themselves time to learn. Niche areas of law require time and patience to develop the requisite expertise. Senior women attorneys cannot simply say that it will take time to teach young lawyers. There must be intention. Both senior and junior lawyers must engage with the intention of empowering each other in every aspect of law, not for ourselves, but for those who will come after us.

Women must not only take seats at the table, but also make the table longer for other young women to take seats and grow. ■



Marelise van der Westhuizen



Zodwa Malinga

MENTORSHIP IS THE BIGGEST CONTRIBUTOR TO WOMEN'S GROWTH IN INDUSTRIES SUCH AS THE LEGAL INDUSTRY.



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