

“A Lady of Law”

Sybil Morrison was a woman who deserves remembering by the Bar. She was a trailblazer, a barrister of purpose and courage and intelligence, yet her name means little or nothing now. It is on no honour board. There are no legends or anecdotes among barristers about her advocacy, her personality or her eccentricity. Although of some notoriety in her own time, her impact is forgotten today.

Sybil Morrison was the first woman in New South Wales to practise as a barrister. Her very existence was an achievement. In 1918, the then Attorney, Mr D R Hall, oversaw the *Women's Legal Status Act* which allowed women to become barristers. It was not enough. In 1921 the first woman admitted, Ms Ada Evans, was not allowed to practise because the then Chief Justice, Sir Frederick Darley, did not approve of women at the Bar: carrying judicial independence too far, I think.

My research does not record what happened to Sir Frederick. I think he died, but three years later his successor admitted Sybil Morrison. A press report described the then Chief Justice as being “*in quite a twitter*” at the admission ceremony. One journalist claimed that the Chief Justice was discomposed by femininity:

“There before him in the body of the court stood a demure little figure with the usual black gown and little white bib. But despite the disguise, it could not look anything but girlish. Sir William Cullen was obviously conscious of the fact - the well-worn phrases preceding the admission absolutely would not trip readily off his tongue ...”

It is impossible to imagine Gleeson CJ being similarly disconcerted.

The second lady barrister made it very clear that she would be practising. The press were full of admiration for her courage:

“Equity law is very difficult and complex. But Mrs Morrison is confident she is equal to its intricacies.”

Like many pioneering women, Sybil Morrison benefited from the support of a powerful male mentor - her first brief came from the solicitor who, as Attorney General, had supported women's admission. She paid tribute to him publicly:

“...He has now shown that his concession to women then was not merely political ... He has given definite proof of his faith in their ability”.

In Sybil Morrison's time the description “lady” was still regarded by both men and women as a compliment. Recently,

I tried to explain to a man why working women today bristle at being called “ladies”. It seems as though we're just being difficult, or politically correct, but this is not the case. The term “lady” conjures up for many of us a code of behaviour which is incompatible with professional success.

In the past the rules of ladyhood imposed a heavy constraint. It started in childhood.

Young ladies didn't climb trees - in other words, ladies did not take risks. Ladies should act timid. Ladies didn't run - in any event ladies often wore clothes which hobbled them. Ladies looked demure, spoke softly. It was unladylike, indeed unfeminine, to argue.

To be a lady required compliance with an image of femininity at the expense of a woman's reality. Fundamentally, it meant reigning ourselves in, being less than we were capable of ... too often it still means that.

Now, how can anyone succeed as a barrister if they are supposed not to argue?

The ambivalence of juxtaposing “lady” with “lawyer” can be seen in Sybil Morrison's life. Clever women were stereotyped as unwomanly and assumed to be unattractive to men. Perhaps even “strident harridans” which is still a term thrown at some of us. In 1925 the *Daily Telegraph* perpetuated this unhelpful idea with a breathless defence of Mrs Morrison under the headline “not a blue stocking”.

“Quite the coolest looking figure in the city yesterday was Mrs Sybil Morrison, our clever barrister. Walking to her chambers in Phillip Street, she looked charming in a fluffy frock of the finest blonde lace and chiffon. Her wide brimmed hat was of blue balibuntal which matched her sparkling eyes. The whole ensemble contradicted the theory that a clever varsity graduate should be a blue-stocking.”

Our poor lady barrister was under relentless pressure to prove her femininity. She never missed a chance to demonstrate that she was a real woman, despite being a barrister. The

Brisbane Daily Mail reported that she was “*stitching busily during the interview which was evidence that her studies and profession had not supplanted her womanly attributes*”.

And

“Like most women who have proved their utility and adaptability for spheres usually considered the monopoly of the male, this lady barrister retains her femininity in spite of the legal perruque”.

And

“In spite of her legal mind, Mrs Morrison is a great housekeeper and she is noted for excellent cooking ...”

NOT MERELY IN NAME



Mrs. Sybil Morrison is not a barrister merely in name. She has proved that she can hold her own in legal arguments in our courts.

The *Evening News* breathed a sigh of relief that

"... She was engaged in the feminine occupation of embroidering a supper cloth ... Anyone more unlike the conventional idea of a stern advocate in a court of justice, it would be hard to imagine".

It would be nice to think that she kept a piece of sewing available specially to whip out for the reporters' benefit. Sadly, it was probably her genuine personal struggle to reconcile "lady" and "lawyer".

The *Australian Woman's Mirror* commented in detail:

"Although Mrs Morrison looks out so seriously from the severe legal dress of wig and gown, she is an exceedingly smart up-to-date frocker ... (Mrs Morrison finds it amusing that most people voice wonderment at her youth and pretty clothes) 'why cannot the two go together', she asks, 'since the same people look for quite a fashionable cut of clothes from a man barrister? ... I am very domesticated and a splendid cook ... I like the housewifely arts and often practise certain of them, particularly cooking, from choice not necessity.'

The journalist ended the article with the comment:

"the most lasting impression one gets of NSW's first woman barrister is that she is pre-eminently feminine and that no man could so ably plead a woman's cause."

The media never missed a chance to contrast dainty femininity personified by Sybil Morrison with the musty old masculine law.

But underneath the accolades in her scrapbook is another story. The compromises, the discrimination, and her personal ambivalence are its sub-text.

Despite her initial intention to practise in equity, within three years she had changed her tune. Now she commented how suitable women barristers were to represent other women or to appear in the divorce and children's court. Why?

She had begun her first marriage to an Englishman with the stipulation that she must be allowed to finish her law degree and to practise at the Bar. The marriage failed. Why?

After more than a decade at the Bar, she married for the second time. Shortly after she stopped practising - why? She had always denied that having a profession meant a woman would neglect her domestic role but a newspaper suggested the two had finally proved incompatible after all.

"Mrs Carlyle Greenwell, formerly Mrs Sybil Morrison,

HER FIRST BRIEF

Lady Barrister in Court

APPEARS FOR WIDOW

In Mr. Acting-Justice Maughan's court to-day. Mrs. Morrison, the only lady barrister in New South Wales, appeared in court to hold her first brief (instructed by Mr. D. R. Hall).

The case was one in which the client, a widow, was asking the court to rectify a will in which her deceased husband had left her £100 only out of £800 and had left £100 to provide for monuments being erected. The matter was held for filing further affidavits.

In 1916, Mr. Hall introduced the Testators Family Maintenance Act, which gives the court power to rectify wills. In 1918, as Attorney-General, he steered through the Assembly the Women's Legal Status Act, which gives woman the same right to become bar-



MRS. SYBIL MORRISON.

The first lady barrister to appear on brief in the New South Wales Supreme Court.

risters as men, and to-day. Mr. Hall appeared as the first solicitor to instruct the first lady barrister to appear on an application made under one of the acts which he himself passed.

is the first woman barrister to have held a brief in the NSW courts. But today matrimony is the more important aspect of her career. In her stead, Miss Nerida Cohen is the only woman barrister in the state."

It is a dangerous assertion for a barrister to claim that the profession requires courage. Such a statement too easily sounds arrogant and elitist. But I am not a barrister, so I can say that it is an occupation for which you must be brave. Whether male or female makes no difference. You must have the nerve to get on your feet and risk public failure.

When your sex means you are in a minority, you are even more vulnerable. Because you are more noticeable, more people watch you. Their gaze is more critical because you are unusual. And because you are different to most of the observers, their support is not so quickly given. And your individual mistakes risk being extrapolated to the rest of your subgroup. Each appearance you make is inadvertently a test case for the female of the species. Nothing personal about it - just the gender gap.

If it takes courage for men to be barristers - it has required even more courage of women. This remains true today for many, although it is a distinction which should soon be irrelevant as women barristers become commonplace.

It is difficult to overestimate the nervous tension which being the only woman - and the first - must have created in Sybil Morrison. The relentless press attention offers a glimpse of it. Doubtless sometimes the glamour of it must have been a compensation but we can only guess at how it felt to spend so many years as an oddity.

She played fair with the men, however:

"In the beginning when I was terribly nervous, the men used to escort me along Phillip Street and into the court. There certainly is a prejudice against women in the law but I must say that all the men were very good to me when I started".

Nevertheless, it is unlikely that this male chivalry offset the isolation of being the only woman among them.

With hindsight it is obvious - it must have required daily fortitude to be "Mrs Sybil Morrison, a Lady of the Law". □

Babette Smith