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# Seeking “A Fair Field” for Women in the Legal Profession: Pioneering Burmese Portias of 1924-1935

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**Abstract:** With the enactment of the Sex Disqualification (Removal) Act in 1919, the gender barrier was torn down and the once male-exclusive legal profession in the UK finally opened its doors to women. This Article focuses upon its early Burmese beneficiaries, and traces the first four Burmese lady barristers' odyssey to gain empowerment through seeking legal education at the Inns of Court in London in the late 1920s and early 1930s. It evaluates their performances at the Bar Examination, and further explores the challenges they faced as they beat a path into the highly selective and traditionally male-dominated legal profession. Finally, it seeks to show how these pioneering Burmese lady barristers were able to wield their swords of legal knowledge and advocacy skills obtained through their legal education to further the cause of promoting gender equality upon their return to Burma.

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## Introduction

Women only attained the right to join the profession on equal footing with men when the UK Parliament legislatively eliminated sex discrimination for the admission to the

legal profession by the celebrated Sex Disqualification (Removal) Act 1919.<sup>1</sup> The years of fierce fight waged by some fearless British women had finally brought about the unprecedented opportunity for women to become full-fledged members of the legal profession.<sup>2</sup> In 1923, a year after the first women in the world, Miss Ivy Williams, gained the coveted title of barrister at law on March 10, 1922,<sup>3</sup> two women of the British India, Mithan Ardeshir Tata<sup>4</sup> and Cornelia Sorabji<sup>5</sup> followed suit and successfully got called to English bar.<sup>6</sup> Their achievements were reported variously by the Times of India,<sup>7</sup> a well-established broadsheet with wide circulation in British India, including Burma. Possibly encouraged by the pervasive coverage of these pioneering heroines, Burmese women too stepped up to the game shortly. By 1935, four Burmese women had blazed a trail in seeking legal education in London and returned home bearing the coveted title of barristers at law. Two of them had even obtained undergraduate degrees at Newnham College, University of Cambridge.

In the light of their accomplishments, this Article seeks to resurface the obscure stories of these trailblazing Burmese women beneficiaries of the monumental Sex Disqualification (Removal) Act 1919 as its centenary approaches. It details the four Burmese women's pursuit of legal education at the British Empire's metropolis, with particular attention paid to their challenges encountered as minorities at the Inns of Court in London. Finally, it briefly traces these young women barristers' experiences back home as members of an elite group representing their gender, and brings to light a notable event where two of them played critical roles in seeking equal political rights for their fellow Burmese women.

## First Burmese Female Law Student at an Inn of Court

Coomee Rustom Dantra was the first woman from Burma to gain entry to an Inn of Court. Born on September 23, 1905 to a well-respected and wealthy family in Rangoon, Dantra was the eldest daughter of Rustom Sorab Dantra and Shireen Spencer.<sup>8</sup> Her father had been a member of the Middle Temple since January 25, 1892 and was called to the Bar on June 17, 1896.<sup>9</sup> Her grandfather Sorab H. Dantra was the Surgeon-Major of Mandalay of the Indian Medical Service.<sup>10</sup> She was initially educated at Queens Hill

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<sup>1</sup> Patrick Polden (2005) *Portia's Progress: Women at the Bar in England, 1919–1939*, *International Journal of the Legal Profession*, 12:3, 293-338. This landmark legislation provided that “[a] person shall not be disqualified by sex... for admission to any incorporated society...”

<sup>2</sup> See Jane, Mossman Mary (2006) *The First Women Lawyers: A Comparative Study of Gender, Law and the Legal Professions*, Oxford: Hart Pub.

<sup>3</sup> First Woman Barrister: Miss Ivy Williams Called to The Bar, *The Times of India*, May 23, 1922, at 10.

<sup>4</sup> Lincoln's Inn, and P. V. Baker, 2001 *The Records of the Honorable Society of Lincoln's Inn*, The black Books. Vol.VI A.D. 191- A.D. 1965, p 754: She was called to the Bar on January 26, 1923.

<sup>5</sup> She was called to the Bar on April 23, 1923.

<sup>6</sup> *Miss Mithan Ardeshir Tata, The First Indian Lady Barrister*, *The Times of India*, January 20, 1923, at 15.

<sup>7</sup> *Id.*

<sup>8</sup> Newnham College, *Newnham College Register*. V.2, 1924-1950 (1981) at 3.

<sup>9</sup> Sturgess Herbert Arthur Charlie, *Honorable Society of The Middle Temple, Register of Admissions to the Honorable Society of the Middle Temple: From the Fifteenth Century to the Year (1949)*, p 689.

<sup>10</sup> *Id.*

High School, Darjeeling.<sup>11</sup> In about 1919, she headed for England and enrolled in South Hampstead High School, an elite girls' school in Hampstead, North-west London.<sup>12</sup> On January 5, 1924, nearing the completion of her high school studies, she set out to seek admission to the Inner Temple.<sup>13</sup>

Dantra's application for admission was supported by enthusiastic recommendations from the Headmistress of her high school and a highly respected English barrister from Burma. Dorothy Walker, Headmistress of South Hampstead High School in London, provided her with a letter of testimonial dated January 10, 1924.<sup>14</sup> Walker had "...known [Dantra] through the whole of her course in the upper school; during the year 1922-23, she was one of our best pupils and she is now Head Girl."<sup>15</sup> More importantly, Dantra had a family friend who was an English barrister at law and a senior member of the Burmese Bar to back her application. Bomanje Cowasjee, a member of the Lincoln's Inn called to the Bar on June 3, 1892,<sup>16</sup> furnished a letter of testimonial dated January 5, 1924, vouching for her fitness to be admitted a law student. "I have known her since her infancy. She has lived with me & near me until she came to England & since then she has spent her vacations with me & I have been in close touch with her,"<sup>17</sup> he wrote. On the strength of these documents, the Inner Temple admitted Dantra on January 14, 1924, making her the first Burmese woman at the Inns of Court.<sup>18</sup>

Meanwhile, aside from her studies at the Inner Temple, Dantra also completed her high school with distinguished records and gained the opportunity to study at Newnham College, Cambridge University in 1924.<sup>19</sup> Perhaps because of her having to juggle both studies at the University and the Inn, she was not the first woman to be called to the Bar despite being the first to have gained admission to an Inn of Court. She first passed the requisite university exams<sup>20</sup> to be conferred a Bachelor of Arts (BA) degree in Law at Newnham College, Cambridge University in 1928, before she got called to the Bar on January 26, 1928 as the third Burmese woman barrister.<sup>21</sup> On her return to Burma, she practiced law as a barrister at the Rangoon High Court from 1928 to 1934.<sup>22</sup> During which, on January 30, 1932, she married a Dutchman, Jacob Cornelis Strooker.<sup>23</sup> Afterwards, from 1939 to 1945, she became a translator charged with translating English from French, German and Dutch for publishing.<sup>24</sup> She would go on to translate

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<sup>11</sup> Newnham College (n 7).

<sup>12</sup> *Id.*

<sup>13</sup> Inner Temple Archives, Coomee Rustom Dantra Admission File (on file with the author).

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

<sup>19</sup> Newnham College (n 7).

<sup>20</sup> *Id.* She passed the Law Tripos Part I exam with second class (lower division) in 1926 and completed the Part II exam with third class in 1927.

<sup>21</sup> Inner Temple Archives (n 12).

<sup>22</sup> Newnham College (n 7).

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

for the International Military Tribunal in Tokyo in 1946, where Dantra – described as a “Dutch attorney” – was one several female attorneys employed to assist the prosecution of cases.<sup>25</sup> According to Dantra’s own description, she was mainly involved in the translation service from Dutch to English for Netherlands Prosecution Section of the Tribunal.<sup>26</sup> Thereafter, it appears that Dantra continued her translation work for various Dutch ministries from 1946 to 1955.<sup>27</sup>

## First Burmese Lady Barrister

The second Burmese woman who venture westward to get a toehold at the English Bar was Ma Pwa Hmee. Pwa Hmee was born in 1902 to a rather privileged and well-respected family in Rangoon. She was the eldest daughter of M. Tun Baw, a tax collector of Rangoon Municipal Corporation.<sup>28</sup> The public-spirited Paw Hmee desired to become a lawyer not for seeking personal gains, but to benefit the women in Burma. A fierce advocate of women’s rights, she believed that “many Burmese girls were well educated, but were too timid to take up public work and needed encouragement.”<sup>29</sup> Pwa Hmee received her secondary education at St. John’s Convent in Rangoon.<sup>30</sup> Afterwards, she studied at Rangoon University.<sup>31</sup> She left for England before completing her undergraduate studies and arrived in London in September 1923.<sup>32</sup>

Owing to her family’s extraordinary connections with the colonial administrators in Burma as well as the family’s financial wherewithal which enabled her to hire a private tutor in London to help with her preparations, she managed to navigate the labyrinth of admission procedures to become a member of an Inn of Court in London. Her application was accompanied by some most remarkable letters of testimonial which effectively paved the way to unlock the door to the Inner Temple. Pwa Hmee (or more likely her family) had arranged for a professor at Rangoon University to write to Harvey Adamson, former Lieutenant Governor of Burma, to offer his assistance to Pwa Hmee in securing admission to an Inn of Court.<sup>33</sup> In support of this endeavor, Adamson wrote a strong letter of recommendation advocating for her admission to the Inner Temple to become the first Burmese woman lawyer:

I have become acquainted with Ma Pwa Hmee only upon her arrival in England, but I have received a letter from a friend in Burma, a Professor in Rangoon University, from which I have every reason to believe that she bears an excellent

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<sup>25</sup> Kerstin von Lingen, *Transcultural Justice at the Tokyo Tribunal: The Allied Struggle for Justice, 1946-48* (2018), at 14.

<sup>26</sup> Newnham College (n 7).

<sup>27</sup> *Id.*

<sup>28</sup> Inner Temple Archives, Ma Pwa Hmee Admission File (on file with the author).

<sup>29</sup> *Encouragement Needed, Burmese Girls and Public Work*, *The Times of India*, November 19, 1926, at 10.

<sup>30</sup> Ran kun Takkasuil, 1970; Ran kun Takkasuil nhacnachay, 1920-70, at 1.

<sup>31</sup> *Burma’s First Lady Barrister*, *The Singapore Free Press and Mercantile Advertiser*, February 10, 1927, at 14.

<sup>32</sup> *The Daily Telegraph*, November 18, 1926, at 11.

<sup>33</sup> Inner Temple Archives (n 27).

character and is a very deserving Burmese lady. Her family is well known & respected in Burma. Her father holds a position of trust in Rangoon Municipality. Ma Pwa Hmee has come to England to study for the Bar, an enterprise which I believe no other Burmese lady has hitherto undertaken. From what I see and hear I am confident that she is worthy of encouragement.<sup>34</sup>

Upon arrival in London, Joseph Allan Watson, a graduate of London University and a barrister at law, and who was called to the Bar by the Inner Temple in 1916, was hired to tutor her in English language, English history and Latin, all of which were requisite subjects for the preliminary examination for admission as a law student.<sup>35</sup> After five months' hard work with Watson, the latter became confident that Pwa Hmee was in every respect qualified for admission as a law student. On January 5, 1924, he wrote an enthusiastic letter in support of Pwa Hmee's application to his own Inn:

January 5, 1924

To the Masters of the Bench of the Honourable Society of the Inner Temple,  
Gentleman

Miss Pwa Hmee who has been reading with me for the past five months has asked me to certify as to the standard of her general education and as to her fitness to be admitted as a student of your Inn. I have pleasure in doing so for I have been most favourably impressed with her character and attainments generally. She has an excellent knowledge of English and all the requisite subject except Latin is quite up to the standard required for the entrance examination of our universities. I trust the Masters of the Bench will find themselves able to consider her application favourably.<sup>36</sup>

At that time, it was customary for an applicant to only provide two letters of reference.<sup>37</sup> To increase her chances of gaining admission to the Inner Temple, Pwa Hmee threw extra weight behind her application by procuring a third testimonial from Maung Ba So, First Class Magistrate of Burma, which stated that "[Pwa Hmee] has been known to me personally for upwards of two years, I have been her personal friend." Pwa Hmee completed her application on January 7, 1924, and was admitted by the Inner Temple on January 21, 1924,<sup>38</sup> just a week after its historic admission of its first female Burmese student, Dantra.

Pwa Hmee was one of the three women who had passed the Michaelmas bar final examination in November 1926.<sup>39</sup> However, on the Call Night of November 17, 1926,

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<sup>34</sup> Id. Signed as Harvey Adamson, Lieutenant Governor of Burma (1910-15) January 5, 1924.

<sup>35</sup> Id.

<sup>36</sup> Id. Signed Jos. A. Watson BSc. Tutor.

<sup>37</sup> Based on viewing numerous student admission files at the Inns of Court in London for the relevant periods.

<sup>38</sup> Inner Temple Archives (n 27).

<sup>39</sup> Far and Near, Daily Mail, November 1, 1926, at 7.

Pwa Hmee was one of the only two women to be called to the Bar.<sup>40</sup> This event attracted the media's attention, and when Pwa Hmee was interviewed by a newspaper reporter, she gave a vivid description of London and the Londoners through the eyes of a Burmese student in London:

Never in my life, had I seen people in such a hurry as those tearing down the streets of London. I thought that their haste must be due to some special attraction in the next street. In one of the busy streets of the West End I remember waiting five or ten minutes to cross the road, and expecting the traffic to wait for me. Another of my difficulties was in understanding the language of the bus conductor, who several times told me to 'Ole tight!'<sup>41</sup>

As a woman from a foreign land, she also held some distinct views about the local British girls' dress – "They have none of the daintiness of our national costume; but of course, our dress would be ridiculous here, for we wear skirts down to our ankles, and we could not possibly run to catch buses and trains as British girls do."<sup>42</sup> She greatly admired "the bearing of the British people, their erect bodies and even strides, which show they have loved for generations long walks in the open air."<sup>43</sup> Another article revealed that Pwa Hmee would return to Burma where "she intends to practise and work among the women in her native city."<sup>44</sup>

On December 10, 1926, Pwa Hmee boarded the steamer *Pegu* bound for Rangoon from Liverpool.<sup>45</sup> She made a triumphant return to Rangoon and laid claim to the distinction of being the first woman called to the Bar in Rangoon. On January 26, 1927, "[a] large gathering of the members of the Bar and several outsiders including a few ladies assembled to witness a brief, but pleasing ceremony of enrolment in the Burma High Court of Miss Ma Pwa Hmee."<sup>46</sup> Pwa Hmee had appeared before the Chief Justice, Sir Guy Rutledge, for the enrollment in the bar list.<sup>47</sup> Mr. Gaunt, the senior Government advocate, introduced and moved her Call.<sup>48</sup>

The exciting news of her admission to the Bar was also picked up by some American

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<sup>40</sup> K. C. s and Their Sons, Daily Mail, November 18, 1926, at 10. Eileen Agnes Macdonald, LLB of Manchester was also among the list.

<sup>41</sup> Woman Barrister from Burma, Dundee Courier, December 10, 1926, at 12.

<sup>42</sup> Id.

<sup>43</sup> Id.

<sup>44</sup> The Daily Telegraph, November 18, 1926, at 11.

<sup>45</sup> Board of Trade: Commercial and Statistical Department and successors: Outwards Passenger Lists. BT27. Records of the Commercial, Companies, Labour, Railways and Statistics Departments. Records of the Board of Trade and of successor and related bodies. The National Archives, Kew, Richmond, Surrey, England.

<sup>46</sup> Burma's First Lady Barrister, The Singapore Free Press and Mercantile Advertiser, 10 February 1927, at 14.

<sup>47</sup> The Times, January 27, 1927, at 11.

<sup>48</sup> Id.

newspapers. In a celebratory tone, they reported on the unusual achievement made by Pwa Hmee – “Burma, known as the land of the pigeon blood ruby and of the tinkling bells made famous by Kipling, has taken another step in its stride toward women's rights. Ma Pwahee[sic], daughter of a Burmese official of the Rangoon municipality, is the first Burmese woman barrister. Ma Pwahee[sic] is the only Burmese woman to adopt the law as a profession.”<sup>49</sup> Eight years later, in February 1935, Pwa Hmee made history again when she was appointed “one of the first Honorary Magistrates (First Class) in Rangoon.”<sup>50</sup>

Pwa Hmee later married U Myint Thein who came from an eminent Mandalay family.<sup>51</sup> U Myint Thein was educated at Rangoon University and Queen's College, Cambridge University.<sup>52</sup> He was also a barrister at law and was called to the Bar by Lincoln's Inn in 1925.<sup>53</sup> Subsequently, U Myint Thein became an internationally acclaimed diplomat. He was appointed to the Bench of the Supreme Court of Burma and was made its Chief Justice from 1957 until March 1962, when U Ne Win gained power as the leader of the revolutionary government in a coup.<sup>54</sup> In a turn of events, U Myint Thein was imprisoned by the revolutionary government. Pwa Hmee passed away on June 26, 1962 while her husband was still in detention.<sup>55</sup>

## Daughters of Rangoon's Esteemed Families of Lawyers

The third and fourth women barristers from Burma were both born to eminent families of lawyers in Rangoon. Several months after Dantra and Pwa Hmee made history by gaining admission to the Inner Temple, a third Burmese woman went to the Middle Temple to seek admission in November 1924. Sarah Dhar, born on December 16, 1901, was the third daughter of Surat Chandra Dhar, a lawyer in Rangoon.<sup>56</sup> Sarah also hailed from a rather affluent and privileged family. Her father had sent two of her elder brothers William Dhar and John Dhar to England to obtain legal education in 1907 and 1909. Both were subsequently admitted by the Lincoln's Inn.<sup>57</sup> William and John were called to the Bar on May 10, 1911<sup>58</sup> and June 19, 1912<sup>59</sup> respectively.

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<sup>49</sup> Burmese Woman Lawyer, Woodland Daily Democrat, January 26, 1927, at 4.

<sup>50</sup> Burma's Portia, The Straits Times, 5 March 1935, at 19. Rangoon Feb 19, Daw Pwa Hmee, Barrister-at-law, who has been appointed one of the first Honorary Magistrates (First Class) in Rangoon, is the first lady Barrister in Burma. She is the wife of U Myint Thein, Barrister-at-law, Public Prosecutor, Rangoon.

<sup>51</sup> U Myint Thein, The Times, October 6, 1994, at 19.

<sup>52</sup> Id.

<sup>53</sup> Id.

<sup>54</sup> Id.

<sup>55</sup> Id.

<sup>56</sup> Id.

<sup>57</sup> Lincoln's Inn, 1981 The Records of the Honorable Society of Lincoln's Inn, Vol. III, Admissions from A.D. 1894 to A.D. 1956, p 92. William also studied at Christ' College, Cambridge University as an undergraduate student.

<sup>58</sup> Lincoln's Inn, and P. V. Baker (n 4) at 438.

<sup>59</sup> Id. at 439.

Even with three family members as English barristers, Sarah did not let her guard down when it came to her application to an Inn of Court. She was armed to teeth with three strong letters of testimonial to facilitate her admission. Sarah was an exceptional case because she was among a small group of Burmese women who had received and completed university education at the University of Rangoon in the early 1920s. Duncan John Sloss, Principal of the University of Rangoon, provided her with her first letter of testimonial, stating that “Miss S. Dhar passed the B.Sc. Examination of the University of Rangoon in 1924. She desires to read law to qualify to be called to the Bar. I can testify to her character and abilities.”<sup>60</sup> Sarah had taken a contracts law course with Jehangir Cowasji Bilimoria, an English barrister at law<sup>61</sup> and law lecturer in Rangoon. His letter stated that “I have known Miss S. Dhar as a law student from June to September 1924 when she attended my class on Contracts. In my opinion she is a fit person to be admitted as a law student in an Inn of Court.”<sup>62</sup> Sarah’s final letter of testimonial was from the Collector of Rangoon, a sign of her family’s high standing and well-established connections with the local elites. It stated that “Miss Sarah Dhar, B.Sc., is daughter of S. Dhar, an old Advocate of Rangoon, whom I have known for a long time. Miss Sarah Dhar appears to have borne good character. She is going to England to study law.”<sup>63</sup> With this strong profile, Sarah filed her application form to the Middle Temple on November 14, 1924 and was admitted the very next day.<sup>64</sup>

On June 29, 1927, Sarah was among six women who were called to the Bar.<sup>65</sup> She and Isabel Cogan of Carshalton, Surrey, were the only two women called at the Middle Temple that term.<sup>66</sup> Sarah became the second Burmese woman to achieve this distinction in history. She sailed home on August 19, 1927 from London.<sup>67</sup> After the independence of Burma, Sarah Dhar emigrated to Canada and passed away in Ottawa on October 30, 1987.<sup>68</sup>

The fourth Burmese woman called to the Bar was Goolbanoo Nanabhai Cowasjee, also known as Goolbanoo Nanabhoy Cowasji. She was born on July 24, 1908 in London.<sup>69</sup> As the second daughter of Nanabhoy Merwanjee Cowasjee, also known as Nanabhoy Merwanjee Captain, she came from one the most powerful, well-to-do Parsi families in

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<sup>60</sup> Middle Temple Archives, Sarah Dhar’s Admission and Call Files (on file with the author). Dated September 18, 1924.

<sup>61</sup> Bilimoria was a barrister at law called to the Bar on November 17, 1903 by the Lincoln’s Inn.

<sup>62</sup> Middle Temple Archives (n 59). Signed J.C. Bilimore, BA. Barrister at Law, Law Lecturer and dated September 16, 1924.

<sup>63</sup> Id. Office of the Collector of Rangoon, dated the September 23, 1924.

<sup>64</sup> Id.

<sup>65</sup> Calls to the Bar, *The Daily Telegraph*, June 25, 1927, at 15.

<sup>66</sup> Id. Six women were among the hundred law students to be called to the Bar.

<sup>67</sup> Board of Trade (n 44)

<sup>68</sup> Ottawa, Canada, Beechwood Cemetery Registers, 1873-1990. Name Sarah Dhar, Birth Rangoon, Burma, Dec 16, 1901, Death Oct 30, 1987.

<sup>69</sup> Newnham College (n 7) at 75.

Rangoon.<sup>70</sup> Goolbanoo completed her first degree in Burma and was said to have “graduated first at Rangoon University.”<sup>71</sup> Her father had studied law at St John’s College, Cambridge University and received his BA degree in 1894.<sup>72</sup> At the same time, he had also joined the Inner Temple as a law student on January 8, 1891 and was called to the Bar on January 26, 1894.<sup>73</sup> With such an impressive background, gaining admission to an Inn of Court was undoubtedly a less challenging task for Goolbanoo, especially since by that time, her father had already become a highly respected and well-known English barrister practising in Rangoon. Moreover, five years prior to Goolbanoo’s admission to the Lincoln’s Inn, her father had the experience of arranging the admission of her elder brother Framroze Nanabhoy Cowasjee to the same Inn on May 1, 1925.<sup>74</sup> When she applied to Lincoln’s Inn for admission on October 30, 1930, she was soon offered admission on November 5, 1930.<sup>75</sup> Notably, the Inn waived the usual bond requirement in her case,<sup>76</sup> a sign of her family’s high standing and connections in London.

In addition to studying at the Inn, Goolbanoo also matriculated at Newnham College, Cambridge University in 1930 for additional education. This was an unsurprising move considering that her father and brother<sup>77</sup> were both Cambridge graduates – an apparent family legacy that she was behooved to maintain.<sup>78</sup> There, she was known as a popular student leader who “made lots of friends” while serving as president of the Cambridge *Majlis*.<sup>79</sup> It was reported that the student society “was extraordinarily active under her leadership.”<sup>80</sup> She completed the prescribed course of study in history at Cambridge and received her BA degree in 1935.<sup>81</sup>

Goolbanoo was called to the Bar on July 3, 1935.<sup>82</sup> Thereafter, she soon sailed home on the *Rajputana*<sup>83</sup> to realize her plans to “work under her father, who [was] a barrister practising at the High Court.”<sup>84</sup> In December 1935, she was admitted to the Rangoon High Court with Arthur Eggar, Government Advocate, having moved her call.<sup>85</sup> She eventually worked as a barrister at law at the firm of Cowasjee, Anklesaria &

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<sup>70</sup> See, Mitra Sharafi, 2016 *Law and Identity in Colonial South Asia: Parsi Legal culture, 1772-1947*.

<sup>71</sup> *Indian Affairs in London, The Times of India*, Jul 15, 1935, at 14.

<sup>72</sup> John Archibald Venn, 2011, *Alumni Cantabrigienses: A Biographical List of All Known Students, Graduates and Holders of Office at the University of Cambridge, from the Earliest Times to 1900*. Volume 2 Part 1 at 509.

<sup>73</sup> Inner Temple Archives, Admission Database.

<sup>74</sup> Lincoln’s Inn (n 56) at 184.

<sup>75</sup> *Id.* at 229.

<sup>76</sup> Lincoln’s Inn, Goolbanoo Nanabhai Cowasjee Admission File (on file with the author).

<sup>77</sup> In fact, her brother followed in the footsteps of their father and studied at St Catherine College, Cambridge University.

<sup>78</sup> Lincoln’s Inn (n 56) at 229.

<sup>79</sup> *Indian Affairs in London, The Times of India*, Jul 22, 1935, at 15.

<sup>80</sup> *Id.*

<sup>81</sup> Newnham College (n 7) at 75.

<sup>82</sup> Lincoln's Inn, and P. V. Baker (n 4) at 763.

<sup>83</sup> *Indian Affairs in London, The Times of India*, July 15, 1935, at 14.

<sup>84</sup> *Id.*

<sup>85</sup> *Woman Barrister, Enrolment in Rangoon High Court, The Straits Times*, December 16, 1935, at 8.

Jeejeebhoy in Rangoon<sup>86</sup> and was later a legal advisor to Tata Industries Private Ltd in Bombay.<sup>87</sup>

## Taming the Bar Examination

The following section examines the successes and failures of the four fore-running lady barristers at the Bar Examination. At that time, the Council of Legal Education was responsible for organizing and administering the examinations for students of the Inns of Court. There were four examinations held every year, which were held in the Hilary, Easter, Trinity, Michaelmas terms.<sup>88</sup> The Bar Examination comprised two parts, and students had to pass both to receive their certificate of fitness for call to the Bar.<sup>89</sup> In the 1920s, Part I of the exam consisted of 4 subjects, which could be taken separately or together “at any time after admission.”<sup>90</sup> These were: Roman Law, Constitutional Law (English and Colonial) and Legal History, Criminal Law and Procedure, and Real Property and Conveyancing (or alternatively, Hindu and Mahomedan Law or Roman-Dutch Law). Part II consisted of the final examination, where students had to successfully pass four papers in the same examination sitting:<sup>91</sup> (a) Common Law; (b) Equity; (c) Law of Evidence and Civil Procedure; and (d) A General Paper on the three aforesaid subjects.<sup>92</sup>

There were three classes of grades for each examination, namely Class I, Class II and Class III. The students had to make a minimum of Class III to pass the exams. In brief, in the late 1920s, the maximum marks obtainable on each paper was 150. For the Part I examinations, the minimum required marks for a Class I, Class II and Class III (Pass) were 110, 90 and 60 respectively. For the Final Examination, the calculation of marks was broken into three segments, with (i) the Common Law, Equity and Evidence and Civil Procedure Papers having each a maximum of 150 marks (total 450); and (ii) the General Paper consisting of three individual parts with a maximum score of 60 each (total 180); and (iii) the overall computation of the scores for parts (i) and (ii), totalling at a maximum score of 650. Students were graded separately on each of these three segments and classified accordingly. Though, in a nutshell, they would usually attain a Class I, Class II and Class III (Pass) if they hit 480, 360 and 240 marks on their overall score (i.e. segment (iii)).<sup>93</sup>

The grades of the students were all recorded in an examination register.<sup>94</sup> In particular,

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<sup>86</sup> Newnham College (n 7) at 75.

<sup>87</sup> *Id.*

<sup>88</sup> Council of Legal Education, Consolidated Regulations of the Several Societies of Lincoln’s Inn, The Middle Temple, The Inner Temple, and Gray’s Inn as to the Admission of Students, the Education and Examination of Students. Revised 17th, 1924. Rule 19.

<sup>89</sup> *Id.* Rule 21

<sup>90</sup> *Id.*

<sup>91</sup> *Id.* Rule 25

<sup>92</sup> *Id.* This General Paper consisted of three individual parts.

<sup>93</sup> There were also detailed rules in relation to minimum marks to be obtained for each part of the papers and minimum marks to be obtained on different combinations of papers.

<sup>94</sup> Council of Legal Education, Council of Legal Education Examination Performance Record.

names of the successful students obtaining Class I and Class II would be recorded in accordance to merit.<sup>95</sup> Such information provides a glimpse into the academic aptitude of the four Burmese women, and offers some insight as to their performance in comparison to each other and as against their counterparts. From the records, it appears that all four of them had confronted failures in completing the battery of examinations for passing the Bar. For instance, Pwa Hmee and Goolbanoo each failed the Final Examination once. As for the individual papers, it seemed that the Criminal Law and Procedure paper was the most challenging for these Burmese women students, for all except Sarah Dhar failed it once. Pwa Hmee and Sarah Dhar also failed Real Property and Conveyancing once. Under the new examination regulations, Goolbanoo also failed the Elements of Contract and Tort paper once. All in all, it would seem that Dantra had achieved the best overall performance in the Bar Examination, for she was among a small number of examinees to have achieved second-class honors in the final examination in Hilary 1928, and did so on her first attempt. Also, Dantra was the only one among the four ladies that obtained an exemption from Roman Law exam by presenting a certificate to show that she had passed an exam in the said subject during her university studies.<sup>96</sup> Even though Goolbanoo had received education at both the University of Rangoon and at Cambridge, she displayed the weakest performance at the Bar Examination. A comparative table of the scores of these four Burmese lady barristers can be found in the Appendix.

In particular, some of these women had impressive results that are worth singling out for mention. For example, in the final examination of Hilary 1928, there were 108 candidates, but only 90 eventual passes.<sup>97</sup> Seven students achieved Class I results and 34 students scored Class II results in the final examination.<sup>98</sup> Dantra scored a Class II result, ranking a remarkable 14<sup>th</sup> out of the 34 students of that class.<sup>99</sup> Another success story worth mentioning is Pwa Hmee's score of 94 marks on her first attempt of the Roman Law exam in Michaelmas 1924. In the pool of 112 students, 6 scored Class I results and 26 who received Class II results, including Pwa Hmee. In particular, Pwa Hmee did well enough to be placed 12<sup>th</sup> on the Class II merit list,<sup>100</sup> outperforming three male Burmese students on that list, namely Maung Ba Maung, Maung Chin Tun, and Maung Ba Thin, who were all graduates of the BA degree program from Rangoon University.<sup>101</sup> Finally, despite Pwa Hmee and Sarah Dhar initial failures in the Real Property and Conveyancing paper,<sup>102</sup> they distinguished themselves by scoring Class II results of 94 and 93 marks in their respective second attempts.<sup>103</sup> When Pwa Hmee

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<sup>95</sup> Id. Rule 28.

<sup>96</sup> Id. Rule 23

<sup>97</sup> The Law Times 21 Jan 1928, Volume 165-63.

<sup>98</sup> Id.

<sup>99</sup> Id.

<sup>100</sup> Id.

<sup>101</sup> The Law Times, 8 Nov. 1924, Volume 158-379.

<sup>102</sup> In Trinity term 1925, Pwa Hmee failed it with 53 marks, 7 marks short of a pass. In Easter 1926, Sarah Dhar failed it with 47 marks.

<sup>103</sup> Council of Legal Education (n 93).

took this exam in Trinity 1925, only 108 out of 134 students passed it.<sup>104</sup> There were 10 students who achieved Class I results and 29 received Class II results. Pwa Hmee was ranked 13<sup>th</sup> in the Class II group.<sup>105</sup> As for Sarah, she impressively made it to the 3<sup>rd</sup> position out of 14 Class II recipients in her second attempt at this exam in Easter 1926.<sup>106</sup>

## Deputation of Ladies in Burmese Women's Struggle for Political Equality

Upon their return, these pathbreaking Burmese lady barristers set off to seek inclusion in legal education and legal profession particularly with a view to utilising their legal knowledge and advocacy skills for the advancement of women's rights at home. The following section resurfaces one notable event which epitomized these lady barristers' role in effecting social change. In 1929, shortly after their return to Burma, Dantra and Pwa Hmee formed part of a women's deputation to the Indian Commission (Burma was part of British India then) in the struggle for equal rights for Burmese women to participate in law-making and political governance.<sup>107</sup> Their involvement in this high-profile operation is an excellent embodiment of the realization of their motivation for seeking legal education abroad, and the utilization of their takeaways therefrom. Moreover, this consultation at the Indian Commission's Conference initiated by the ladies' deputation merits substantial discussion, for it offers an insight into the humble beginnings of the revolutionary women's movements for equal rights in the early 20<sup>th</sup> century in Burma.

On that occasion, Dantra opened the discussion on behalf of the deputation with a succinct yet poignant address to the Gentlemen of the Joint Free Conference:

... Since 1922, women have had the power to vote for members of the local Legislation on the same terms as men; but for seven years we have been denied the right to choose one of our own sex to represent us, and this is the case in Burma, a country where women have taken an active part in public life for generations... In fact, the Burmese woman is perhaps... more thrifty and industrious than the Burman. Yet, while in India most of the provinces have enfranchised women completely by allowing them to vote as well as to sit on the local Legislatures, yet in this province... we are only allowed to vote for men to speak for us.

...we submit, though humbly, that we have a contribution to make towards the welfare of social life. We are, by reason of our sex, more fitted to deal with certain

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<sup>104</sup> The Law Times, Oct 31, 1925, Volume 160-327.

<sup>105</sup> Id.

<sup>106</sup> The Law Times, June 5, 1926, Volume 161-451. In this sitting, 51 out of 77 candidates passed the exam, of which four scored first-class results.

<sup>107</sup> His Majesty's Stationery Office, Indian Statutory Commission, Volume XVII Selections From Memoranda and Oral Evidence by Non-Officials ( Part II) 1930, at 454-456.

problems of a social character – Housing, Health and Hygiene and Education of children...

Our main grievance is that we women in Burma must, and are willing to, shoulder our responsibility towards the next generation and the welfare of the State in general. As things stand at present we are denied our full contribution.<sup>108</sup>

The Chairman then reminded the members of the Conference on the context of this proposition, and in particular, brought their attention to a previous unsuccessful resolution moved on February 3, 1927, which lost by 45 votes (including the official vote) to 81.<sup>109</sup> After which, the members proceeded to have discussions regarding the present deputation's motion. In the course of which, it appears that even though Dantra had taken the lead to make representations on behalf of the delegation, some of the gentlemen nevertheless held reservations about her voice in this motion, as some tried to insinuate that her Parsi heritage signalled a detachment from the Burmese culture. The ladies nevertheless remained united and unfazed. They had each other's back and defended their belief with gumption:

*U Ba Shin:* I would address my question to Miss Dantra. Of course, I cannot presume that you know the customs and traditions of the Burmese people?

*Miss Dantra:* I know that, in dealing with the Burmese people, the women are just as active as men. You can see them in business, and also in the legal profession since the disqualification of women to practise at the Bar was removed. They are equally intelligent, if I may say so, and ready to take a share in the duties of citizenship.

*U Ba Shin:* What I mean by tradition is, you know that it is a kind of established practice in this land of pagodas that man is always regarded as lord and master?

*Ma Tee Tee Luce:* It is not true, and you know that we have enjoyed the same freedom as you have enjoyed in our past history and past generations. We still enjoy the same, you know it perfectly well... We dislike being denied suffrage by our Burmese men; we do not wish to fight for it, we want to be welcomed by you.<sup>110</sup>

In addition, Dantra made it clear that the ladies' intention was never to "[oust] the men", but to be accorded the opportunity to be on par with their male counterparts.<sup>111</sup> When asked if affirmative privilege should be accorded to women appear to have differed slightly, Dantra gave a poignant response that drove home her point of attaining a true sense of gender equality:

I do not think we can offer any view of on [the subject of affirmative privileges

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<sup>108</sup> Id. at 454

<sup>109</sup> Id. at 454-455

<sup>110</sup> Id. at 455.

<sup>111</sup> Id.

for election] except as individuals. Once the door is open I want to have just the same space to enter through as men have. I do not ask that it should be wider for us. If we are to fight (I prefer not to call it fighting, but rather working together), we should fight with them on their own grounds; we want a fair field and no favour.<sup>112</sup>

In closing, the Chairman took a very diplomatic stance, thanking the ladies for providing their information, which was “undoubtedly a constitutional question which will receive our attention equally,” though he noted that “the matter really [was] more a matter for the Legislative Council to pass a resolution than anything else”.<sup>113</sup>

As the public voice of the ladies’ deputation, the well-educated lady barrister Dantra carried herself with dignity and reason. Her stately disposition struck a most favorable impression upon the observers – “The Burmese feminists, who recently waited upon Sir John Simon and his fellow Indian Commissioners to plead for admission to the local Legislature, chose a remarkable spokeswoman. Their case was ably stated by a young Parsee barrister, Miss Coomee Dantra, for whom some admirers predict an illustrious career in the political sphere.”<sup>114</sup>

## Conclusion

The British Parliament’s legislative elimination of sex discrimination in 1919 pried open the door for the eventual rise of a generation of lady barristers in England. For these four privileged Burmese women, their triumphant ride on the wave of the emerging feminist movement to overcome sex and racial barriers and eventually clinch the title of barristers at law was undoubtedly made possible due to their respective families’ affluence and social standing, which gave them access to precious resources and invaluable connections with the British ruling-class, members of whom had helped to advocate for these young ladies’ admission to the Inns of Court. Moreover, three of these women barristers’ fathers were English barristers themselves, and this unparalleled advantage easily put them on the fast track to boldly contemplate this professional path at the early stages of this profession to women. Equipped with the legal knowledge and advocacy skills obtained at the English bar, these legally-trained Burmese ladies were able to fulfil their original vision of using their legal education to further their cause of fighting for women’s rights and promoting gender equality at home, as illustrated by the episode of their appearance before the gentlemen of the Indian Commission recounted above. As we make steady progress towards gender equality today, these four Burmese women’s unique experiences in the early 20<sup>th</sup> century serve as vivid reminders of the importance of embracing diversity in the legal

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<sup>112</sup> Id. at 456.

<sup>113</sup> Id.

<sup>114</sup> An Eastern High Brow, Exeter and Plymouth Gazette, February 20, 1929, Vol. CLVII, Issue 25799, at 8.

sector and the need to extend opportunities to the minority and disadvantaged groups to gain access to legal education. These women who had made history will undoubtedly persist as role models for young women, empowering their membership to seek manifold desirable changes as they continue to seek true inclusion in the legal sector.

## Appendix

		Coomee Dantra		Ma Pwa Hmee		Sarah Dhar		Goolbanoo Cowasjee	
	Inn of Court	Inner Temple		Inner Temple		Middle Temple		Lincoln's Inn	
	Attempts	First	Second	First	Second	First	Second	First	Second
A	<b>Roman Law</b>	Exempted		Michaelmas 1924, Class II		Easter 1925, Class III		Trinity 1934, Class III	
	Part 1			46		49		44	
	Part 2			48		27		21	
	Total			94		76		65	
B	<b>Constitutional Law &amp; Legal History</b>	Michaelmas 1926, Class III		Easter 1925, Class III		Michaelmas 1926, Class III		Hilary 1933, Class III	
	Part 1	43		33		42		37	
	Part 2	34		36		43		26	
	Total	77		69		85		63	
C	<b>Criminal Law &amp; Procedure</b>	Michaelmas 1926, Failed	Michaelmas 1927, Class III	Trinity 1924, Failed	Michaelmas 1924, Class III	Easter 1925, Class III		Trinity 1934, Failed	Michaelmas 1934, Class III
	Part 1	31	34	39	50	43		28	41
	Part 2	21	32	13	29	32		25	29
	Total	52	66	52	79	75		53	70
D	<b>Real Property and Conveyancing (or its alternative)</b>	Michaelmas 1927, Class III		Trinity 1925, Failed	Michaelmas 1925, Class II	Easter 1926, Failed	Trinity 1926, Class II	Hilary 1935, Failed	Trinity 1935, Class III***
	Part 1	38		30	47	26	48	ABSENT	42
	Part 2	29		23	47	21	45	ABSENT	15
	Total	67		53	94	47	93	ABSENT	57
E	<b>Common Law</b>	Hilary 1928, Class II		Trinity 1926, Failed	Michaelmas 1926, Class III	Easter 1927, Class III		Hilary 1935, Failed	Trinity 1935, Class III
	Part 1	60		19	13	54		23	40

	Part 2	56		24	42	45		18	40
	Total	116		43	55	99		41	80
<b>F</b>	<b>Equity</b>	Hilary 1928, Class II		Trinity 1926, Failed	Michaelmas 1926, Class III	Easter 1927, Class III		Hilary 1935, Failed	Trinity 1935, Class III
	Part 1	56		30	38	36		ABSENT	27
	Part 2	56		20	65	44		ABSENT	31
	Total	112		50	103	80		ABSENT	58
<b>G</b>	<b>Evidence &amp; Civil Procedure</b>	Hilary 1928, Class II		Trinity 1926, Failed	Michaelmas 1926, Class III	Easter 1927, Class III		Hilary 1935, Failed	Trinity 1935, Class III
	Part 1	40		29	22	45		ABSENT	26
	Part 2	44		40	41	45		ABSENT	33
	Total	84		69	63	90		ABSENT	59
<b>H</b>	<b>General Paper</b>	Hilary 1928, Class II		Trinity 1926, Failed	Michaelmas 1926, Class III	Easter 1927, Class III		Hilary 1935, Failed	Trinity 1935, Class III
	Part 1	42		23	20	17		ABSENT	10
	Part 2	55		30	55	40		ABSENT	30
	Part 3	22		31	43	26		ABSENT	20
	Total	119		84	118	83		ABSENT	60
	Regulations Applicable:	Old		Old	Old	Old		New	New
	Final Exam consists of:	Items E to H		Items E to H	Items E to H	Items E to H		Items D to H	Items D to H
	<b>Final Exam Grade:</b>	<b>431</b>		<b>246</b>	<b>339</b>	<b>352</b>		<b>41</b>	<b>314</b>

\*\*\* A note on the Registry suggests that Goolbanoo Cowasjee took the alternative Roman-Dutch Law instead of Real Property Law.