

Women Lawyers

The morning I first visited a client at Guantánamo, I knew my client might not exactly embrace the idea of having a female American lawyer. He had been sitting at Guantánamo for several years without seeing anyone but guards or interrogators. He had seen little that would inspire confidence in the American justice system. And the fact that I was female was not going to help. In Saudi Arabia, my client's homeland, women are not permitted to drive or even travel without being escorted by a close male relative. They must cover their bodies from the eyes of the world, and eye contact with any man except a spouse or close family member is strictly forbidden.

I had done my homework. I needed to wear loose-fitting clothing that covered my arms and legs—not a problem. But I also needed a head covering. I am not graceful with scarves, so I chose something called the “Amirah” (or princess) hijab, a two-piece contraption. The first piece is like an oversized headband that covers the top of the head and the ears. The second piece looks like a large-mouthed funnel. The mouth frames your face, and the rest drapes your head and shoulders.

You may have seen lovely dark-skinned women wearing hijabs. That is not what I looked like. I have pale skin, freckles, and blue-gray eyes. Picture Alfalfa (of Spanky's Gang) dressed like a nun. Perhaps that is why the young U.S. soldiers threw me hostile glances—I had offended the fashion gods. I fancied at the time that they resented my donning what they perceived as the uniform of our Muslim “enemies.” But the worst part of the hijab is that it puts two layers of fabric over each ear. That, combined with the loud air conditioner units in the interview room, made it very difficult for me to hear.

More troubling than the unfamiliar attire, though, was the fact that I would not be able to make eye contact with my client. In our culture, looking someone in the eye is a sign of respect. It is also a way of gauging another's understanding, reactions, and truthfulness. I had never tried to meet with a client without looking him or her in the eye. I wasn't sure I could do a very good job of communicating without eye contact. Fortunately, I was working with a very good Arabic-English interpreter. The client seemed to engage with the interpreter, and over the lunch break I pumped the interpreter for a detailed account of the client's non-verbal reactions to my words. At one point during the meeting, the interpreter told me not to sit so close to him because that was causing the client to look away from the interpreter so as not to catch a glimpse of me. All in all, that first visit went relatively well. The client and I got used to the rhythm of speaking in short bursts and waiting for the interpreter's translation. And despite his conservative religious views about interacting with women, the client seemed to accept having a female lawyer.

Not all of my clients have cared whether I wore a hijab. Once I was meeting with a Saudi client and he asked me if I wore the hijab all the time. (I am quite sure he knew that it was not part of my regular wardrobe.) I said no, that I only wore it during our meetings as a sign of respect for him. The client said, “Why don't you take it off, then?”

Some of my Guantánamo clients have also been comfortable making eye contact with me. During my first meeting with a Yemeni client, one of the first things I asked him, through the interpreter, was whether he minded if I looked him in the eye. After a bit of back-and-forth between the interpreter and the client, the answer came back as a sharp “No!” Thinking that the client did not want me to look him in the eye, I spent the entire morning looking down at the floor. During the lunch break, the interpreter said, “Pat, you really should look at your client when you’re talking to him.” I had completely misread the answer to my initial question; the client was perfectly fine with the idea that we would have eye contact. He probably thought my excessive interest in the floor was a sign of mental disturbance.

I have now visited clients at Guantánamo about fifteen times, and I have yet to meet a client who was unwilling to have a female lawyer. Most of my clients seem to look upon me as a kindly aunt. It has been awhile since I wore a hijab, because the clients I have been meeting most recently do not care whether I cover my hair. But I did have a hijab panic recently, when unexpectedly I was required to meet with a male colleague’s client. I had not brought a hijab with me, and I knew I would not find a suitable substitute at the Navy Exchange. The night before the meeting, I scoured my suitcase for something that would cover my hair. I found a dark blue tank top. If I slipped the armhole around my face just so, and bunched the fabric under my chin with the aid of two binder clips, I thought the tank top could just about pass as a hijab. Well, okay, it actually looked quite ridiculous, but it did cover my hair. Fortunately, fellow habeas lawyer Candace Gorman saved the day by loaning me a two-tone scarf (green and purple) which I just managed to keep on my head during the meeting.

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March 2, 2009