Sex-Role Stereotyping and Sexism: Implications for Attorney-Female Client Relationships

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SEX-ROLE STEREOTYPING AND SEXISM:
IMPLICATIONS FOR ATTORNEY-FEMALE CLIENT RELATIONSHIPS

BY

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RESEARCH REPORT

Submitted in partial fulfillment of the requirements for the Master of Science degree in Clinical Psychology in the Graduate Studies Program of the College of Arts and Sciences University of Central Florida Orlando, FL

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Introduction

The profession of law, dominated by males, has been a powerful influence on the definition of accepted roles and behaviors for women in American society. The status of women is constantly being legislated, interpreted and enforced by the legal profession. Women must often consult attorneys to represent them in personal legal matters, such as divorce, rape, sex discrimination, spouse abuse and sexual harassment. In the context of such social influence, it is possible that male and female attorneys may be influenced by personal sex role stereotypes in the interpretation and presentation of these cases, as well as in their professional relationships with female clients.

Sexism, which is defined as discrimination on the basis of sex (Benson & Vincent, 1980), has been the subject of significant research in the past 15 years. It is generally acknowledged that there is a widespread prevalence of discrimination against women in American society today, and it has been identified as a major social problem (Benson & Vincent, 1980). Sexism has been found in areas ranging from cultural institutions to interpersonal relationships (Benson & Vincent, 1980), and to be condoned by the justice system (DeCrow, 1975). Sutker and Moan (1973) and Kole (1975) also
found that women have been protected from experiencing the negative consequences of criminal behaviors more often than men, in that they serve shorter sentences for the same felony convictions as men. However, in contrast to their male counterparts, these women were classified more frequently into the more extreme categories of psychopathology, i.e., character disorder and psychosis. Kanowitz (1969) reports that the law has often accorded markedly different treatment to men and women solely because of sex:

Voting rights, jury service, . . . capacity to enter into binding agreements, and to sue and be sued, . . . change in name upon marriage, age of attaining majority - these are only a few of the many areas in which a person's sex has at times made the sole difference in the treatment he or she would receive under the law in the United States (p. 1).

In view of the power and importance of the legal profession in American society, which has been traditionally dominated by men, it seems appropriate to examine the attitudes of male and female attorneys toward women. The purpose of this paper is to raise questions about the attitudes of attorneys toward women, and the possible implications of these attitudes.
Theoretical Framework

One of the theories that appears to best explain acquisition of sex-typed behavior is social learning theory. Social learning theory originated in stimulus-response theory, or behaviorism (Stockard & Johnson, 1980). Behaviorism states that a behavioral repertoire is built into an individual on the basis of rewards, or lack of them, from the external world. Behavior can therefore be shaped through the presentation or withholding of rewards. Social learning theory goes beyond this basic reward system, with the belief that every single aspect of behavior does not need to be rewarded to be learned. This theory emphasizes cognitive processes that intervene between the stimulus and the response as a central concept (Rotter, 1954). The most important determinant of behavior in humans is the behavior of other humans--that is, social reinforcement (Rotter, 1982).

Reinforcements that maintain behavior patterns within the context of social learning theory are learned in social situations (Stockard & Johnson, 1980). The effect of reinforcements or external occurrences is to create expectations or hypotheses. Thus, behavior is a function of the expectations of the subject, and the role of reinforcements is only to change--that is,
increase or decrease—these expectations or to verify or negate the subject's hypotheses regarding the situation (Rotter, 1982). Social learning theorists state that the sexes are treated differently by parents and other socializing agents, and this differential treatment produces or maintains sex-typed behaviors (Stockard & Johnson, 1980). Researchers have observed sex differences in the behaviors of male and female babies, most of which have been found to be directly traceable to parents' differential treatment (Weitzman, 1978). For example, fathers have been found to reinforce sex-typed behavior more than mothers (Maccoby & Jacklin, 1974), and in support of this finding, less sex-typing is shown by boys coming from mother-dominant homes (Kohlberg, 1966).

As children grow older, they acquire more of their sex-typed behavior through the process of identification with significant models. Initially, these models are the same sex parent (Mowrer, 1950, 1960; Sears, Maccoby, & Levin, 1957; Goldberg & Lewis, 1969), but later the models will include siblings, peers, teachers and characters of their same sex portrayed in the media.

For example, Frueh and McGhee (1975) found that children who frequently watch television are more likely to have traditional sex role
attitudes than less frequent television watchers. It appears, then, that the majority of television characters are portrayed in traditional sex roles. Further, Whiting and Edwards (1973) found that some sex-typed behaviors (sex differences in nurturance and dominant-dependent relationships) do not "appear" until adolescence, which is additional evidence that these behaviors are a result of socialization and learning.

**Definition of terms**

**Sexism** - "Words or actions that arbitrarily assign roles or characteristics to people on the basis of sex. The term of sexism originally was used to refer to practices that discriminated against women, but now includes any usage that unfairly delimits the aspirations or attributes of either sex" (Allen, 1977, p. 181).

**Sexist attitude** - "Attitudes which function to place females in a position of relative inferiority to males by limiting women's social, political, economic, and psychological development" (Benson & Vincent, 1980, p. 276).

**Sex-role** - "The complex of behaviors considered characteristic of or appropriate to persons occupying the [male or] female status and the attributed expectations concerning these behaviors" (Hartley, 1964, p. 3).
Sex-role stereotyping - "Consensual beliefs about the differing characteristics of men and women in our society" (Rosenkrantz, Vogel, Bee, Broverman, & Broverman, 1968, p. 287).

Representation of Women in the Legal Profession

The membership of the Florida Bar Association included only 200 women, or 2% of its membership in 1968. By 1976, there were 620 female members of the Florida Bar. And, 1984 figures indicated that there were nearly 6,000 women lawyers in Florida, just over 15% of the total membership (Griffin, 1984).

Women attorneys do not appear to be faring as well financially as their male counterparts, even when the fact that female lawyers have fewer years in practice on the average as men is taken into consideration. In Florida, 46% of women attorneys make an annual salary of under $25,000, while only 20% of male attorneys are in this salary range. Forty-three percent of female attorneys earn a salary in the range of $25,000 to $50,000, while 36% of male attorneys earn salaries in this range. And, only 11% of female attorneys are in the over $50,000 range, compared to 44% of male attorneys (Carres, 1986).
This information lends further support to the hypothesis of sexism in the legal profession. The unequal representation of women in the legal profession, as well as the unequal financial rewards, suggests that sexist attitudes toward women may exist even within the legal profession itself.
CHAPTER I

Review of the Related Literature

Sex-role definitions exert a major influence on self concept and behavior of both college men and women (Broverman, Vogel, Broverman, Clarkson, & Rosenkrantz, 1972). Rosenkrantz et al. (1968) conducted a study which focused on the relationship of self concept to differentially valued sex-role stereotypes in college students. Participants in this study were selected from undergraduate college students in several New England schools. Mean age of the 74 male participants was 20.41, and the mean age for the 80 women participants was 19.70. Subjects were required to respond to the 122-item Stereotype Questionnaire (which had been previously developed by the authors), and to go through the instrument three times to mark the extent to which they thought the item characterized (1) the adult male, (2) the adult female, and (3) themselves. The average masculinity response and the average femininity response for each item were computed for both the sample of men and the sample of women. The average masculinity response given by the men to all 122 items of the questionnaire was found to be correlated .96 with the average masculinity
response given by the women. Similarly, the average femininity response correlated .95 across the two samples. The results indicated that there is high agreement between men and women as to what stereotypical men and women are like. The concept of sex role stereotypes implies extensive agreement among people as to the characteristic differences between men and women. Of the 41 stereotypic items, 29 (70%) were male valued; that is, the masculine pole was more often perceived as desirable by subjects than the feminine pole, of which only 12 (30%) items were female valued. Results also indicated that despite continuing changes in the status of women and changes in permissible behaviors accorded men and women, sex role stereotypes continue to be clearly defined and agreed upon by college men and women. Both men and women agreed that a greater number of the characteristics and behaviors stereotypically associated with masculinity are more socially desirable than those associated with femininity ($p<.02$).

In criticism of the Rosenkrantz et al. study (1968), very limited information was provided about the development of the Stereotype Questionnaire. The authors stated that the items for the questionnaire were obtained by asking two classes of college undergraduate coeducational students to list behaviors, attitudes, and personality characteristics which
they considered to differentiate men and women. The exact composition of the classes which had provided the information for these items was not included. No data were provided on the validity or reliability of the instrument, or whether validity or reliability studies had been done. Further, it would be difficult to generalize the results obtained in this study to other populations because only undergraduate college students in the New England area were included.

Women, as well as men, have been found to perpetuate sexist attitudes toward women. Eastman (1958) found that both males and females were less accepting of females. The sample included 64 married couples who filled out an anonymous adjustment and values questionnaire. Acceptance of men and women was measured as the discrepancy between ratings of men and women in general, and self ideal. Acceptance of others was determined as the mean scores of acceptance of men plus the acceptance of women. Both husbands and wives scored women in general as significantly less acceptable than men. In this study, the subjects were gathered in groups of five or more couples brought together "by colleagues ostensibly for social purposes" (p.95). The appropriateness of such sampling procedures in scientific study is questionable, and the generalizability of any results would be suspect.
In a study of undergraduate females by Goldberg (1968), it was demonstrated that the achievements of women in the areas of art history, city planning, dietetics, education, linguistics and law were not valued as greatly as those of men. The study involved taking one article from the professional literature of each of the six fields named above. The articles were then edited to about 1500 words, and then combined in two equal sets of booklets. In one set of booklets, a given article would bear a male name as the author, and in the second set, it would bear a female name. Each booklet contained three articles by "men" and three articles by "women." Forty female college students at Connecticut College, selected at random, were asked to read the articles and to answer the questions at the end of each article. These questions asked the subjects to rate the articles for value, persuasiveness and profundity, and to rate the authors for writing style, professional competence, professional status, and the ability to sway the reader. The results indicated that these female college students judged the work by males to be superior to the work done by women in all areas, and in every field, including those fields traditionally dominated by women (identified by the authors as education and dietetics). Law, an area traditionally dominated by men, proved to have "the most statistically significant difference" in the
value of achievements, although the level of significance was not provided in the article. These findings are consistent with "the general cultural view that women are not worth much" (Epstein, 1980, p. 331).

In a similar study, Pheterson, Kiesler, and Goldberg (1971) asked 120 freshman and sophomore female students at Connecticut College to view eight paintings, and to answer five evaluative questions about the artist of each painting. The subjects were to evaluate the artist on a scale of 1-5, with higher ratings representing more favorable evaluations. The sex of the artist, the status of the painting (presented as either an entry in a contest, or as a contest winner), and the personal odds faced by the artist (e.g., physical handicaps, poverty) were manipulated. Each subject participated in each experimental condition. Results revealed an overall rating of the male artists as significantly superior to the female artists (\( p < .05 \)), showing that "women are prejudiced against the performance of other women" (p. 117).

The Goldberg and the Pheterson et al. studies, which both purport to investigate issues of sexism, are methodologically lacking with respect to sex variables, that is, by the exclusive use of a single gender subject sample. Only female subjects were utilized in the study, ignoring the potential value of including male subjects to discover the attitudes of males toward females.
Generalization of results obtained from these studies is limited, as only college women from one college in Connecticut were included in the sample. Additionally, the information provided by the authors in each of these studies is lacking in the area of subject selection. No details were included about how the subjects were chosen, or their specific ages. It would be difficult, even impossible, to replicate the studies as they were described.

Paludi and Strayer (1985) saw an additional weakness of the Goldberg and Pheterson et al. studies in the fact that subjects were asked to evaluate a male and/or a female, and adjusted for this in their study. Paludi and Strayer used 300 students (150 female, 150 male) taking introductory psychology courses at Kent State University. All of the students received course credit for their participation. The subjects were asked to evaluate an academic article in the field of politics, psychology of women, or education (judged masculine, feminine, and neutral, respectively, in a pilot study conducted by the authors) that was written by either a male, female, an author with a sexually ambiguous name, or had no name accompanying the article. The results indicated that the ratings of the articles were differentially perceived and evaluated according to the name of the author. An article written by a male was valued more than an article not written by a
male. Further, the subjects' bias against women was stronger when they believed that the sexually neutral authors were female ($p<.0001$). This research gives continued support to the notion that there is a devaluation of women in relation to men.

An inconsistency found in the Paludi and Strayer (1985) article was that the authors initially described elementary school teaching as a traditional female occupation, but then included "education" as the neutral field in their study. No explanation was offered for this apparent contradiction. Although this study did improve on previous studies of this nature by including male subjects, the authors did not include any subjects other than college students at one particular university. Also, the method of subject selection was not clear, and no data were provided on the subjects' ages, race or marital status.

Staines, Tavris, and Jayaratne (1973) report married females have more negative attitudes toward feminism than single females. More recently, Smith, Resick, and Kilpatrick (1980) found women to be more permissive toward the rights and roles of women than are men. In this study, 90 female and 100 male undergraduate psychology students were administered the Attitudes Toward Women Scale, developed by Spence and
Helmreich (1971). This scale is a 55-item inventory which assesses attitudes toward the rights and roles of women. The scores obtained were separated for male and female groups and rank ordered. The median score for each distribution was determined. Those who scored above the median were designated as "profeminist," and below the median, "traditional." A 2 (gender) by 2 (sex-role attitude) analysis of variance was conducted. Clearly (p < .003), women had more profeminist attitudes than men.

This study included only unmarried undergraduate students enrolled in a psychology course who fulfilled a course requirement in the participation of the research. This type of "voluntary" participation with the reward of extra credit brings forward different types of subjects than if no reward was offered. It is not clear from the narrative on subject selection what university these students attended. The authors cautioned that limitations must be applied to the generalizability of results because the study was neither a random nor representative sample.

Traditional views toward women have been found to be associated with low self esteem (Vavrich & Jurich, 1971; Pleck, 1978). In the Vavrich and Jurich study, attitudes toward females were measured by the way male subjects described females in stories prompted by 10 cards of the Thematic
Apperception Test (Murray, 1943). Fifty-nine upperclass and graduate students at Pennsylvania State University participated in the study. Subjects were selected on the basis of urban background (residence in a city with a population of 10,000 or more). The students were instructed to write a three-minute story for each card presented. The responses were evaluated for self concept and attitudes toward females. Self concept was rated by number of negative items included in the stories. A male with zero to two negative items was rated as having a "good" self concept; three to six negative items scored a "fair" self concept, and seven to eight negative items received a "poor" self concept rating. Attitudes toward females were measured by the way the subject described females in the stories. If all five stories pertaining to females showed positive acceptance, the male was said to accept her "as a person" (no specific definition given by the authors). He was said to stereotype her "somewhat" if one or two of the stories were rejecting of females. If all five stories were negative, it was considered that the subject thought of the female as a "sex object" (no specific definition given by the authors). Results showed that 39% of the males whose self concepts were rated "good" accepted females as persons and 55% stereotyped females to "some extent." In those subjects with "poor" self concepts, none thought of
females as persons and 85% thought of females as sex objects (significant at the .001 level).

The subjects who participated in this study were selected on the basis of urban background. The authors did not explain why they believed this was an important factor to use as one of the primary criteria in selection. The subjects selected were all male college students from an urban background, which limits the generalizability of results to only this specific group.

One of the problems with using a projective instrument in research involves the fact that responses are subjective. Therefore, the scoring of the protocols is highly subjective as well. Six TAT protocols were scored as a reliability check in the Vavrik and Jurich (1971) study. Interscorer reliability coefficient was .65 for self concept, which is lower than would be desired, but was 1.0 for attitude toward females. It appears that subjectivity in the responses and/or in the criteria made it difficult for the examiners to reliably assess self concept. Perhaps the study could have been strengthened with the concurrent use of a self concept inventory.

Negative, hostile and anti-egalitarian attitudes toward women were minority views among males in the study by Pleck (1978). These views were
associated with maladjustment in males in general. This was especially true in men over 50 years old, with more than a high school education, and who were likely to hold positions of power and influence in American society. The 616 males participating in this study were administered a 70-minute interview which included questions concerning various topics, including four questions on sex role perceptions and attitudes. The interview also included five measures of adjustment: marital happiness; job competence; a three item locus of control scale; and a two item trust-in-others scale. Ages of the subjects ranged from 18 to "50 and over." In this study, some males 50 years and older possessed positive personality traits that were associated with traditional beliefs; such as "women are happiest in the home" and the belief that women are not discriminated against. Pleck summarized:

Because of their normative power and association with positive adjustment, it may be these ... beliefs rather than clearly hostile and negative attitudes toward women, are the dominant attitudinal block in men to change in women's status (p. 982).

Pleck's study used a nationally representative sample of noninstitutionalized males aged 18 years and over in the contiguous United States which were drawn according to a stratified probability sampling frame. The representative sample is considered to be the most desirable
form of psychological research when human subjects are used. The results of this study can be said to represent all adult males in the 48 contiguous states. This is much more desirable than previous studies reviewed in this paper, where the generalization was usually limited to undergraduate psychology students at one particular college or university. However, there are limitations to this study, as well. A major criticism of this research was that women were omitted from the sample, which potentially excluded valuable information regarding women's attitudes about women and the correlates of adjustment and maladjustment with their attitudes.

Those men who were rated high on masculinity on the Bem Sex Role Inventory (BSRI) (Bem, 1974) were significantly more conservative in their attitudes toward women, as assessed by the Attitudes Toward Women Scale (ATWS) (Spence & Helmreich, 1972) than any of the other groups studied (p < .05) (Bem, 1977). The BSRI and the ATWS were administered to male and female undergraduate psychology students at Stanford University. The subjects were categorized on the basis of a t-ratio, the difference between the subject's mean scores on the masculine and feminine attributes. The t-ratio scores were used to define the subject's degree of sex-role stereotyping. The subjects were classified as either above or below the median on both
masculinity and femininity scales. This provided a four-fold classification of subjects: Masculine (high masculine, low feminine); Feminine (high feminine, low masculine); Undifferentiated (low masculine, low feminine); Androgynous (masculinity and femininity scores were approximately equal). Men's liberal attitudes toward women were found to be positively related to femininity ($p < .025$) and negatively related to masculinity ($p < .01$). Masculine men were found to be the most conservative; feminine men were found to be the most liberal; and the androgynous and undifferentiated men were in between, with no apparent difference between these two groups. Women's attitudes toward women did not relate significantly to their masculinity or femininity.

This study is limited in that only undergraduate students enrolled in introductory psychology classes at Stanford University were sampled. Additionally, further information about how subjects were selected was not included in the study.

Andersen (1978) administered the BSRI and the Macho Scale (Villimez & Touhey, 1977) to male and female undergraduate students at the University of California. It was found when analyzing the results of the BSRI that masculine-typed subjects were more accepting of themselves than
of others (p< .001). In an analysis of variance, the Macho scores indicated that masculine-typed males endorsed discriminatory attitudes toward women more frequently than subjects who were typed feminine, androgynous or undifferentiated (p< .002). Andersen concluded that "masculine-typed males seemed to be critical and judgmental in their low acceptance of others. Likewise, it may be that their high acceptance is defensive since it is inversely related to their acceptance of others" (p. 414). Andersen limited her study to 65 undergraduates at the University of California, Santa Cruz, who were majoring in natural science, social sciences, and humanities. She included both male and female subjects, but it is unclear precisely how the subject sample was selected. Further, Andersen informed the subjects of the intent of the research before the study was conducted. Even though this is necessary for informed consent, it raises the possibility that this information could have biased the responses.

A study using volunteer male medical and law students was done by Smith, Kilpatrick, Sutker, and Marcotte (1976). The students were administered several paper-and-pencil surveys: The Attitudes Toward Women Scale; the Sexual Attitude and Behavior Survey (Unpublished manuscript, Kilpatrick & Smith, 1973); and Form E of the Rokeach D Scale
Mean attitudes towards women scores were calculated separately for medical and law student groups and compared with normative data reported by Spence and Helmreich (1972) for college students. Significantly more profeminist attitudes were found in male student professionals in law ($p < .001$) and medicine than in male undergraduates in the Spence and Helmreich study. Dogmatism was negatively related to profeminist attitudes in medical ($r = .38$) and law ($r = .25$) student groups.

Smith et al. stated:

> These findings are important, since they suggest that the male who endorsed liberalized roles for women tends to be less dogmatic, more tolerant of differing belief systems and more accepting of sexual values . . . which differ from their own (p. 147).

Subjects in this study were obtained from classes at the University of South Carolina and the Medical University of South Carolina. During a regularly scheduled class, students were requested to participate in a scientific research project regarding women, sexual expression and social change. Final selection was strictly on a volunteer basis. Therefore, the results of this study cannot be generalized, except to the volunteers themselves. The authors explained that women were not included in the subject sample because of their underrepresentation in their subject pool, and
in the population of medical and law students in general, stating that only 10% of medical students are female, and 15% of law students are female. This is unfortunate, as it further limits generalizability of results, and could have provided potentially valuable between the attitudes of male and female college students.

Smith et al. then compared the results obtained with results from a 1972 study by Spence and Helmreich using male undergraduates from the University of Texas. Comparison of the student professionals in the Smith et al. study with the respondents in the Spence and Helmreich study indicated that both law \((p<.001)\) and medical \((p<.001)\) students were more profeminist than male undergraduates. However, it is difficult to understand how the authors believed these two studies using different subject samples from different regions of the country, and four years later could yield a valid comparison.

Bohn (1971) administered the Adjective Check List (ACL) (Gough & Heilbrun, 1976) in his study of psychological needs of male college students. It was found that male pre-law students perceived themselves as having definite (clearly differentiated from average, with average being defined as a standard score of 50 on the ACL) need requirements when compared with
other male undergraduates-- to be a leader ($p < .05$), to attract attention ($p < .01$) and to avoid feeling inferior or taking a subordinate role ($p < .05$). This purported need to avoid taking a subordinate role may lend some insight into how law students may behave toward women.

Bohn utilized only male freshmen from a private college in Missouri as subjects in this study. At the time of registration, students were asked to indicate their probable career choice. The students who indicated "engineer," "lawyer," "physician," or "undecided" were selected as the participants in the study. It would be interesting to learn how many of the students who indicated the career choice of engineer, lawyer, or physician actually completed a degree in that field of study. Also, it seems that if the author wanted to assess the psychological needs of male student professionals, he might have improved the reliability of the study if he had chosen college seniors who were near the completion of their degree, and/or had been accepted to law school, medical school or engineering graduate school.

In addition to the expressed probable career choice, the four groups were compared on their reported scholastic achievement, estimated family income, age, and father's education. If this had been a more recent study, it
would probably be criticized for focusing only on the father's educational level, and not the mother's as well.

Female law students completed the Adjective Check List in a study by Coplin and Williams (1978). The female law student's self-description was significantly higher than other female undergraduates studied on needs for achievement, dominance, autonomy, and aggression. Both the Bohn and the Coplin and Williams studies obtained results which point to conformity with traditionally "masculine" sex role stereotypes.

Further, in the Coplin and Williams study, a comparison was made between the self-descriptions of female law students and female undergraduates based on need profiles and item analyses. This revealed that the law student is more confident in her ability and internally motivated to succeed in pursuits of socially recognized substance. The authors summarize:

Her higher needs for autonomy and aggression indicate that she is less attuned to social cues and that she acts more independently of social values and expectations. The presence of both masculine and feminine traits in her personality would seem to give her psychological freedom to engage in a wide range of behaviors, irrespective of if they are stereotyped masculine or feminine. However, her belief that the ideal lawyer is a much more competent and less emotional individual than she is, may serve to limit her vocational behavior as well as reinforce a
cultural bias toward a more sex-typed masculine image of the legal profession (p. 332).

These views could possibly make her less sympathetic toward female clients and feminist issues.

The sample of law students in the Coplin and Williams study consisted of 73 out of the 75 women enrolled in the Wake Forest University School of Law during the fall of 1975. Participation was strictly on a volunteer basis. The sample of undergraduate women was composed of 100 students from Wake Forest College who served in the study as part of a research participation requirement in a course in introductory psychology. Males were not included in this study. The undergraduates who participated in the study were not a carefully selected comparison group, but a "general reference group." This study could have been strengthened, and could have made more definitive statements if carefully selected comparison groups had been used. It is difficult to compare the results obtained otherwise. The authors stated that the differences in the results obtained between the two groups could be attributed to age, number of years of college, and the fact that the law students had been admitted to a school of professional study in a traditionally male occupation.
In interviews of women attorneys in practice with their husbands (Epstein, 1971), it was found that these women often characterize their work as "helping" their husbands and otherwise understate their activities, which is interesting as both partners have the same status--they are lawyers, and therefore of occupationally equal rank. Epstein states that she believes that through the extension of the traditional role at home to the office, the woman lawyer is able to escape criticism directed at the career woman who is seen as ambitious and self-satisfying. Most of the women were apt to do the less visible and less prestigious work of the family firm, sometimes including secretarial duties.

The data for this study were collected from a larger study of women lawyers in New York City and its surrounding suburbs. The lawyers interviewed were randomly drawn from a New York law directory. The cases selected from these interviews were those women who were currently in practice with their husbands, or had been in the past. Each interview conducted ranged from one and one-half hours to five hours. Unfortunately, details about the interviewing procedure itself were not included by the author, but apparently the author did not administer any objective measures of attitudes. It may have strengthened this study if objective measures, had
been included in the interview process, so a statistical analysis could be conducted.

In summary, past literature reveals the existence of sex role stereotyping, and sexist attitudes toward women by both men and women. Some of the studies reviewed hint at the possibility of law students having sexist attitudes toward women, but were not specifically searching for that information, and did not assess practicing attorneys' attitudes toward women. Therefore, the determination of attorneys' attitudes toward women would benefit the existing literature.
Chapter II

Sexism in Related Professions

The existence of sex-role stereotyping and sexism has been demonstrated in professions other than law. Extensive investigation of sex-role stereotyping and its effects has been done in the areas of psychology, psychiatry, social work, education and medicine. Sherman (1980) concluded, from analyses of the reported research on therapists' attitudes and sex-role stereotyping of women, that there was evidence of sex-role stereotyping in mental health standards, and that sex-role discrepant behaviors were judged as more maladjusted.

Broverman, Broverman, Clarkson, Rosenkrantz, and Vogel (1970) found that sex-role stereotyping could be an issue in clinical practice. This research indicated that a double standard existed among the clinicians surveyed. Clinicians of both sexes were found to have similar beliefs about mental health for men as for adults, but different, and less healthy, beliefs about women. The implications of these results is that in a counseling relationship clinicians' stereotypic perceptions may influence the provision
of service to clients. Female clients may be encouraged to behave in a stereotypically feminine manner, and male clients to behave in a stereotypically masculine manner. The female client would be confronted with a dilemma: she could either behave as a healthy adult, and thus like an unhealthy female, or she could conform to the standard applied to a healthy female, and thus be less of a healthy adult.

Others have demonstrated empirical support for the existence of this double standard of mental health. Sherman, Koufacos, and Kenworthy (1978) found that sex bias and sex-role stereotyping are not uncommon in psychotherapeutic practice, and are more likely to be found among male than female therapists. Delk and Ryan (1975, 1977) found that male psychotherapists held more of a double standard for mental health than did female psychotherapists. In a study of community mental health psychologists, Aslin (1977) found that male therapists ascribed to a double standard of health paralleling traditional sex-role stereotypes, whereas female therapists did not. However, Stricker (1977) found that the attitudes and behaviors of female counselors were just as biased toward female clients as those of male counselors.
Leicher and Kalin (1981) found differences between male and female psychiatrists in their beliefs about sex roles. Sherman et al., (1978), in their investigation of the attitudes toward women of male and female social workers, psychiatrists and psychologists, found evidence of sex-role stereotyping. Their results indicated that women therapists were better informed, more liberal and less stereotyped in their attitudes, but there were no overall significant differences among the professions examined.

Counseling programs do not usually include specific training and education on sex bias (Gilbert, 1978, 1979; Kenworthy, Koufacos, & Sherman, 1976), yet such training seems necessary. Awareness of personal attitudes about role behavior and the degree of congruence between espoused attitudes and actual behaviors with clients is important in deterring sex bias in the counseling process, and should be fostered in the training of mental health professionals.

Medical practice was found to be influenced by sex-role stereotyping of both patients and physicians, particularly by the interaction of women patients' behavior with physicians' expectations. The evidence suggested that physicians tend to attribute symptoms presented by women to psychogenic rather than organic causes, but that women nonetheless receive more medical
treatment than men in the form of unnecessary surgery and psychotropic drugs. Physicians believe women are more mentally disturbed, have more social problems and other vague symptoms, and were expected to be more difficult patients (Cooperstock, 1971), but general practitioners were found to be free of sexism in preliminary diagnoses (McCranie, Horowitz, & Martin, 1978).

Stereotypic notions about women may be reinforced in medical school training, textbooks and medical advertising. Twenty-seven gynecologic textbooks, published in the United States between 1943 and 1972, projected an image of women as primarily interested in procreation, a view that is consistent with the generally conservative attitudes of physicians about the proper role of women in society (Scully & Bart, 1973). Fidell (1980) reported that medical educators implied that women have psychogenic but not organic illnesses by shifting the pronoun "unconsciously" from "he" to "she" when the discussion shifted from organic to psychological illnesses.
There are many implications of sex-role stereotyping and sexist attitudes in the mental health field. The double standard of mental health that apparently exists in American society, may leave women feeling that they are functioning relatively well when compared to other women, but at a less than optimal level when compared to "adults." This situation may tend to lower self esteem. The female client may better be able to choose a mode of behavior that she accepts for herself, independent of the expectations of others, if a nonsexist consideration of these issues is included in the course of therapy.

It is questionable how much women can be helped in therapy by therapists with sexist attitudes. Women most often seek therapy at a time when they are in crisis and are the most vulnerable. If therapists incorporate their sexist attitudes in therapy, female clients may be learning to remain passive, dependent, and powerless to change. Feelings of powerlessness and lack of control over one's life can lead to, or perpetuate, emotional disorders. A specific example of a female client who would probably not benefit from sexist attitudes in therapy would be a woman who is dependent on her mate, but who is trying desperately to leave (which is so often the case of an emotionally and/or physically abused spouse). If the therapist harbors
traditionally stereotypic attitudes toward women, there might be encouragement for this female client to "try harder" to make her marriage work, and perhaps learn that women are "supposed" to be dependent on men.

In marital therapy with a sexist therapist, emphasis may be placed on the issues one spouse wants to address, and the therapist may not be able to look at situations from the partner's point of view. In individual therapy, a sexist therapist may develop treatment plans to emphasize marriage and family issues for a woman because she is a woman, rather than other types of nontraditional issues, such as career goals.

The existence of sexism in law and other professions, such as mental health, is a reflection of the attitudes of our society, in general. Not until these attitudes are eradicated in our society will men and women truly benefit from equal treatment.
CHAPTER III
Direction for Future Research

From the review of the literature, it can be determined that attorneys' attitudes toward women have not been directly assessed, and therefore are not known. Further examination specifically addressing this issue is warranted. Regardless of the outcome of the studies that are needed in this area, acquiring evidence of the attitudes of attorneys toward women would have important implications.

It has been determined that more information is needed about the population outside of universities. It is, of course, easier and less expensive for research to be done within the "captive audience" of undergraduate or graduate classes, but generalization to the "real world" cannot be done from a limited, nonrepresentative sampling source, such as a university campus in one area of the United States. For the purposes of this paper, studies assessing the attitudes of practicing attorneys toward women would have been of great value.
Many authors, especially feminist authors, recognize sexism as a serious social problem. As a result, these authors have suggested the need for further study in this area. Freeman (1979) calls for awareness and examination of the externally imposed restraints upon women. More specifically to this paper, Smith et al. (1976) found that male medical and law students espoused more profeminist attitudes than did male undergraduates. These findings were unexpected by the authors and contradict popularly held beliefs. Therefore, the authors called for examination of the attitudes of practicing physicians and attorneys as well as investigation regarding the possible effects of professional training upon the attitudes toward women. In her book *Sexist Justice*, DeCrow (1975) elaborated on her personal experiences in law school:

So pervasive is sexism in legal education that the few women who do go through law school are invariably radicalized. If they are not, it is because they are convinced (by fellow students, professors, and the textbooks) that they are a special kind of woman--intelligent, probably not as intelligent as the men students, but clearly not of the same breed as the "regular" women in the United States (p. 9).

DeCrow further stated that "there is anti-woman bias in almost every case that deals with women" (p. 11).
The results of studies concerning attorneys' attitudes toward women would add to the general knowledge about sexist attitudes in our society. It would be important to discover what are the differences in attorneys' attitudes toward women in regard to gender, age, race, marital status, and length of practice. Further research possibilities would include in-depth exploration as to why attorneys have, or do not have, sexist attitudes toward women by looking into their developmental histories, e.g., family background, available role models, etc., to see if the results were consistent with or refuted by the explanation of sexism by social learning theory. It could also prove interesting to compare the degree of sexism found in attorneys to the degree of sexism found in a more diverse population.

In the area of training, it would be important to know the attitudes of attorneys toward women to aid the developers of law school curricula. If sexist attitudes were found, then effective ways of changing these attitudes would need to be found and incorporated into the law school curricula. If sexism is not found to be prevalent, then law schools would not need to consider this type of intervention.

If sexist attitudes toward women are found in attorneys, it would be important to determine if these attitudes had been previously incorporated
by students before entering law school, or if the students had acquired these attitudes during their training. What changes in sexist attitudes might occur as a function of various intervention strategies would then be important to consider. Another possible research topic that could result, and yield potentially critical information, is to discover if sexist attitudes toward women by attorneys directly affect the presentation and outcome of the female client's case.

Most researchers examining attitudes utilize surveys, in an attempt to gain objective measures. In reviewing these studies, one should be aware that these instruments include no controls for faking, and that the subject under investigation may be blatantly obvious to the subjects, therefore possibly biasing results (Hinrichson & Stone, 1978; Jean & Reynolds, 1984). Further, in the use of attitude surveys, caution must be exercised as the subjects may be unclear about their own attitudes, and therefore there may be misrepresentation in the results of the studies. Teglasi (1981) found that questionnaires using first person wording yielded different results than those found in the third person, and the sex of interviewer has also been found to influence results of studies (Grimes & Hansen, 1974). The above limitations of the use of existing attitude surveys should be considered in any future
research regarding the attitudes of attorneys toward women, and attempts should be made to minimize the effects of these limitations.
CHAPTER IV

Conclusions

An examination of the existing literature revealed the existence of sex-role stereotyping by both men and women, and evidence was provided that sexist attitudes are associated with negative personality traits. Also, support has been introduced for the need to assess attorneys' attitudes toward women given that the attitudes of attorneys toward women are not known. More specifically, the extent to which sexist attitudes toward women exist among attorneys is not known.

Attorneys have been traditionally viewed in American society as conservative and aggressive, and the legal profession has been, and still is, dominated by males. Bohn (1971) provided evidence that pre-law students have definite need requirements--to be a leader, to attract attention, and to avoid taking a subordinate role. These needs could be interpreted as subscribing to a stereotypically masculine sex-role. Coplin and Williams (1978) reported female law students' perceptions of the ideal lawyer as requiring primarily masculine traits. These perceptions may affect the self
selection of women into the field of law, and or may limit the occupational aspirations of women within the legal profession. Perhaps the highly masculinized image of the lawyer has been sanctioned and reinforced by the law itself through predominantly male role models in training and practice, which could perpetuate sexist attitudes and limit the numbers of women willing to pursue a career in the male dominated profession of law.

Clingman and Musgrove (1977) questioned the reasons why younger groups of professionals (including physicians and lawyers) were more liberal than older groups, offering the possible explanation of the overall social trend of loosening of sex-role stereotypes. However, they further suggest the possibility of the younger subjects' attitudes becoming more conservative with increased age and/or experience.

Females seeking legal assistance would benefit from the knowledge of attorneys' attitudes toward women. If sexist attitudes are prevalent among attorneys, a female legal client would benefit by being aware of what characteristics to look for, or to avoid, in an attorney. If sexist attitudes are not found among attorneys, females would not need to consider this to be a critical issue when selecting an attorney.
Given that the Fourteenth Amendment to the United States Constitution guarantees equal protection under the law, it is important to determine if sexism is influencing the quality and outcome of cases involving female clients. In view of the power and importance of the legal profession in American society, it appears critical to determine the attitudes of attorneys toward women.
REFERENCES


