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NOW THAT WE ARE HERE: Discrimination, Disparagement, and Harassment at Work and the Experience of Women Lawyers

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This article examines the sexist work experiences of a sample of women lawyers in a medium-sized midwestern city. Specifically, it focuses on reports of discrimination, gender disparagement, and sexual harassment as components of gendered systems that maintain and reinforce inequalities between men and women on the job. The relationships between these experiences, professional role orientation (feminist versus careerist) and structural work characteristics (types of workplace and degree of tokenism) are explored. Respondents report lower levels of discrimination at the more visible and legally protected "front door" (in recruitment and hiring) than on the job (in salary, promotion, and job assignments). For the most part, private (versus public) sector employees and those in token positions report higher levels of sexist behavior. Contrary to expectations, those with careerist orientations (versus feminist orientations) report more sexual harassment. The interrelations and implications of these findings for women's careers in the law are discussed.

Recently, the Clarence Thomas-Anita Hill hearings and the Tailhook scandal involving sexual assaults on women naval officers have focused the nation's attention on the gender-based discrimination and harassment experienced by professional women. This article analyzes the reported experiences of a sample of women lawyers in a midwestern city. We use these data to explore patterns of discrimination and their relationship to women's professional experience in diverse work settings.

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Studies indicate that, although women are an increasingly large proportion of practicing attorneys, the legal profession continues to be stratified by gender (Curran 1986). Regardless of where they work, women tend to occupy lower status positions. In private practice, they are concentrated in less remunerative specialties (Heinz and Laumann 1982), are less likely than men to become partners during the course of their careers (Curran 1986), and have little decision-making power in firms and typically, earn approximately two-thirds the income of men (Chambers 1989; Hagan et al. 1991).

In addition to discrimination, lawyers, like other professional women, are subject to a range of deprecating and harassing behaviors that affect their morale and the degree to which they have power in professional arenas (Couric 1989; Epstein 1981; Kanter 1978; Menkel-Meadow 1989; Morello 1986). Anecdotal accounts from women lawyers suggest that these events are related and indicative of gender stratification, which may be sharper and more durable in the legal profession than in many others (Hagan et al. 1991). Nevertheless, little attention has been paid to how discrimination, disparagement, and harassment are related; typically, they are studied as independent events.

This article explores patterns of sexist behavior in several ways. First, is the incidence of discrimination the same in recruiting and hiring as it is once women are working in an organization? The employment of an ever larger number of women lawyers, particularly in large firms, suggests inclusiveness and some sort of progress toward more egalitarian work environments. But recent theoretical work (Acker 1990; Hearn and Parkin 1987) indicates that fair hiring practices can mask continuing on-the-job discrimination. If so, women would report less discrimination in recruitment and hiring than on the job.

Second, we examine the possibility that women's reports of sexist behavior may be subjective accounts of experiences that vary with their professional orientation. As newcomers in the legal profession, women have come under extraordinary pressure to conform to professional norms, to defer to authority, and to avoid confrontations concerning women's issues (see Rhode 1988). As a result of these pressures, coupled with socialization to ideologies that equate political neutrality with professionalism, many women have developed assimilationist and individualistic approaches to their professional roles; thus, they focus on individual strategies to be successful regardless of the systematic roadblocks they may encounter. A career orientation of this kind may account, in part, for the reluctance of many professional women to report or acknowledge the existence of sexism at work (Hochschild 1973; LaFontaine 1983). It may also indirectly account for a tendency to attribute

aggressive behavior to the overwhelming power of men's sexual needs (see MacKinnon 1979) or the characterological flaws of individuals rather than to the structural features of organizations (LaFontaine and Tredeau 1986).

In contrast, some women in law have taken a far more critical and reformist approach. They have challenged gender discrimination and recommend collective action to alter the organizational arrangements that handicap them (Rosenberg, Perlstadt, and Phillips 1990). To these women, individual success is believed to be contingent on the success of women as a class. This orientation should lead to a different way of understanding gender relations at work and, consequently, to different accounts of their experiences. Theoretically, women with this feminist orientation should have a heightened sensitivity to expressions of male hostility and sexist behavior (see Alexander and Rudd 1984) and should closely monitor their relationships with men in the workplace (see Erdelyi 1974). Thus we would expect feminists to report more frequent occurrences of discrimination, disparagement, and harassment regardless of the types of organizations in which they work.

We also examine the incidence of discrimination, disparagement, and harassment to see if they are perceived as occurring more frequently in public or private sectors and in specific workplaces. A substantial amount of research examines the experiences of women in private practice, despite the fact that, compared to men, women lawyers are overrepresented in public sector positions (Curran 1986). This distribution is often attributed to women's interest in pursuing careers in public sector jobs, where the demands of family and professional life are more easily reconciled, and a desire to avoid discrimination. Still, research suggests that patterns of gender stratification are similar in the public and private sectors (Bridges and Nelson 1989; Hale and Kelly 1989). Consequently, whether or not women lawyers find that government and other nonprofit settings are less hostile environments in which to work remains an open question.

Recent contributions to the literature on gender stratification suggest that sexist behavior is most likely to occur where organizational culture specifically values characteristics traditionally attributed to men and where power is supported by instrumental and social cliques (Acker 1990; Hearn and Parkin 1987; U.S. Merit Systems and Protection Board 1988). On the other hand, when professional women work in organizations where access and opportunity are supported by well-established affirmative action policies, they are less likely to report harassment than are their counterparts in organizations without such programs (Hale and Kelly 1989; LaFontaine and Tredeau 1986). Because lawyers work in a variety of settings within both the public and private sectors, we would expect differences in patterns of

discrimination between sectors, and possibly among organizations within the sectors as well.

Finally, we ask if token women perceive themselves to be more vulnerable to victimization than those women who work in environments where women lawyers are more numerous. Kanter (1977) described the effects of unbalanced sex ratios, including isolation and behavioral distortion. Other authors suggest that tokenism is also associated with sexual harassment (Konrad and Gutek 1986; LaFontaine and Trudeau 1986). After nearly 20 years of affirmative action, tokenism remains an indication of the resistance of organizations to the inclusion of women. Therefore, we would expect women in token situations to experience more incidents of on-the-job discrimination and to be more frequent targets of harassment and disparagement.

DATA AND METHOD

Sample

The data were collected from a questionnaire examining the occupational experiences of a group of women lawyers who work in a state capital, a medium-sized city located in a midwestern metropolitan area. Mailed questionnaires were sent to all women lawyers in the area (350); and 220 were returned for a response rate of 59 percent.

Unlike the respondents in a number of previous studies, the majority of the women did not go to elite law schools and do not practice in large firms nor in major legal and financial centers. More than 80 percent went to regional law schools with unexceptional prestige ratings and found jobs close to home in government and relatively small firms. Of those responding, 93.4 percent were white (non-Hispanic); 4.2 percent were African Americans. We suspect that the level of education and the work life of the respondents are typical of thousands of women lawyers working in state capitals and other medium-sized cities. The experiences of these practitioners have been virtually ignored in the current research on women in the legal profession. Nevertheless, given the small size of the population and the unique characteristics of a state capital, we hesitate to generalize our results.

Measures

Discrimination. Respondents were asked to indicate whether they believed that because they were women they were treated differently from men

and if the differences benefited or harmed them. Questions addressed recruitment hiring and on-the-job experiences including income, promotion, and work assignments.

Gender disparagement. Included are items concerning verbal acts that call attention to women's gender and that tend to demean or reduce the status of women. These include allusions to a woman's gender characteristics or to her sexuality, the use of infantilizing terms of address (*honey, dear, doll, girl*), or of her first name when men are not addressed in that way. One item concerns whether or not the respondent was asked to act as a secretary. Disparagement, which lowers esteem or standing, refers here to verbal behavior meant to be slighting and containing invidious references. It is more specific than the term *hostile environment*, as used by MacKinnon (1979), and narrower in scope than the specifications listed in the Equal Employment Opportunity Commission guidelines (1980).

Sexual harassment. Respondents were asked if they had received unwanted sexual advances in a professional setting during the past year. In the sections of the questionnaire on disparagement and harassment, questions concerning the perpetrator of the acts and the number of times such acts occurred during the year prior to the study were included.

Professional role orientation. This is a complex variable measured on the basis of 68 items. Factor and cluster analysis were used to identify groups of women with distinctive orientations to their professional roles (see Rosenberg, Perlstadt, and Phillips 1990). The orientations have three dimensions: first, political identity (including self-assigned political labels and measures of feminist opinion and activity); second, definitions of professional interests reflected in the respondents' choice of policies to be pursued by the local women's bar association; third, participation in professional, women's, civic, and cultural organizations (including positions on boards of directors of these and other organizations).

Clusters of women having different orientations were identified. Of the 220 questionnaires returned, only 169 could be used for the analysis of role orientation. For our analysis of role orientation in this study, the responses of 16 women who had mixed-type orientations unsuitable for our purposes were not used, resulting in a reduced sample of 153 women. Although a subsample is used in this analysis of role orientation, it matches the full sample on all demographic, political, and professional characteristics. Consequently, we are reasonably certain that the two orientations as described here fairly represent the major professional perspectives of our population.

The subjects belong to one of two clusters labeled *feminist* or *careerist*. The feminists ($N = 64$) give overwhelming support to traditional feminist positions, are members of women's organizations, and take a feminist-based view of the position of women in the legal profession. They believe in the necessity of collective action to alter the distribution of power, tend to support only candidates for bar and bench offices who espouse feminist objectives, and believe that women's bar associations should provide pro bono services to ensure the civil rights of all women. This feminist perspective is fundamental to their professional identity.

In contrast, the women we have labeled careerists ($N = 89$) support basic economic rights for women but reject feminist labels; they are less inclined to support feminist candidates, to provide pro bono services to protect women's rights, or to make a political issue of the subordinate status of women lawyers. Rather, they believe that their position could be improved by refining their skills to compete more effectively in the legal marketplace. This orientation is compatible with an institutional ethos that denies the importance of gender in stratifying the profession. It assumes that there is an equitable return to human capital investment regardless of gender; careerists believe in the essential fairness of the competitive process. The labels *feminist* and *careerist* do not imply different levels of professional aspiration or commitment. They refer exclusively to a political-professional orientation that includes views of the structure of the legal profession, the status of women within it, and related courses of action.

Workplace. Our primary focus is the comparison of public and private sector experiences. However, given varying characteristics of workplaces within these categories, further distinctions are made. Workplaces are arranged in a hypothetical order from those most likely to those least likely to be associated with high levels of sexist behavior. private sector workplaces include solo practice, firms, and in-house counsel. Public sector locations include government agencies, courts, and a residual category in which the majority of respondents are academics.

Briefly, our rationale for this ordering is as follows. Overall, women in private sector workplaces will be more vulnerable than women in the public sector. Within the private sector, solo practitioners are ranked first. They are believed to be subject to high levels of discrimination because of their professional isolation, a lack of collegial support, and organizational protections that inhibit offensive behavior (see Epstein 1981; Hagan 1990; Tangri, Burt, and Johnson 1982). Working in private law firms is ranked second. Until recently, private firms have been resistant to the inclusion of women

and clearly dominated by men. The evidence of discrimination in private firms is weighty and convincing (Couric 1989; DeBenedictus 1989; Hagan 1990; Taber et al. 1988). Given the conflicting data on the status of women working as in-house counsels in business settings (Chambers 1989; Roach 1990), these positions are ranked third. These three private sector workplaces are followed by public sector locations; government agencies, which have been more receptive to women and in which women's positions and earnings are somewhat protected by formalized hiring procedures and salary scales, are ranked fourth. Courts follow agency positions. Although the literature suggests that women working in courts do experience forms of discrimination and disparagement (New York Task Force on Women in the Courts 1986), like other government employees, they should be protected by standardized hiring practices and salary scales. Further, the relatively small size of legal staffs working as employees of courts and the intensive nature of the interaction among members of these staffs may inhibit more flagrant forms of sexist behavior. Other nonprofit work settings, including academic positions and union offices, are included in a residual category and ranked last. The validity of the ordering was tested using Kendall's tau *B*, an ordinal measure of association that can be used to measure the goodness of fit of preinterpreted data (Ott, Larson, and Mendenhall 1983).

Token status. Respondents who worked in offices where fewer than 20 percent of the lawyers were women were classified as having token status; all others were designated nontokens.

Control variables. Age and marital status are related to disparagement and harassment (Tangri, Burt, and Johnson 1982; U.S. Merit System and Protection Board 1988) and are used as controls in appropriate sections of the analysis.

RESULTS

Table 1 indicates the responses of the women lawyers to questions asking if they were treated differently because of being a woman in a variety of situations and if the difference personally benefited or harmed them. The latter is referred to here as discrimination. Across all situations, including those at the front door and on-the-job, the majority of women believed they were treated the same as men or actually benefited from differential treatment. But, there is a clear pattern in the responses pertaining to the consequences of

TABLE 1: Discrimination—Comparing Own Treatment to the Treatment of Men (Percentages)

<i>Treatment</i>	<i>Treated the Same</i>	<i>Treated Differently</i>	
		<i>Beneficial</i>	<i>Discriminatory</i>
Recruitment	52.4	27.1	20.5 ^a
Hiring	45.0	35.0	20.0
On-the-job			
Rewards			
Salary	57.7	1.5	40.8
Promotion	61.5	5.7	32.8
Activities			
Legal assignments	61.2	3.8	34.9
Settlements	58.0	10.2	32.3
Court room	59.4	9.4	31.1
Pretrial	65.6	6.2	28.1
Research	70.0	3.8	25.5

NOTE: $N = 200$. The number of responses to these items varies slightly. Not all items, particularly those listed under activities, are relevant to jobs in all work settings.

a. Rows may not add to 100% because of rounding.

being treated differently in particular situations. Among those reporting differential treatment in recruiting and hiring, more women reported personal benefits from such treatment than reported discrimination. Consequently, being treated differently during the hiring process was more likely to be an advantage than a disadvantage. In contrast, once the women lawyers were on the job, in salary, promotion, or task allocation, very few (from 1.5 percent to 10.2 percent) said they benefited from different treatment based on gender. Consequently, we find that more women experienced discrimination once on the job than in the recruiting and hiring process. The data suggest that the apparent willingness of employers to hire women does not necessarily mean that they will be treated equally.

This idea is strengthened when we examine the proportion of women who reported being verbally disparaged, that is, being addressed in ways that call attention to gender characteristics or sexuality. Although some blatant forms of disparagement, such as being assigned the role of secretary, have been effectively repressed (if not totally eliminated), the women in this study were continually exposed to more egregious, if subtle, forms of disparagement.

Approximately two-thirds of our respondents reported being addressed as "honey" or "dear" and being the butt of remarks emphasizing gender and sexuality ("nice to have a pretty face") in professional situations (Table 2). Other lawyers were named most frequently (36 percent) as the perpetrators

of disparaging behavior, followed by clients (27 percent), judges (16 percent), and a variety of other professionally related personnel.

As would be expected, a significantly greater proportion of women under 35 reported being the victims of such behavior compared to their older colleagues (75 percent to 55 percent; $p = .02$). In contrast, marital status, a factor that we also expected to affect the reported frequency of these experiences, was unrelated to disparagement. On average, single and married women reported approximately the same incidence of disparagement (64.1 percent to 67.3 percent). Further, disparagement is not a one-time event. Of those reporting inappropriate forms of address or sexual allusion, four-fifths experienced both forms more than once and one-half experienced them more than five times during the past year. Consequently, regardless of whether or not they found these remarks offensive, merely annoying, or even innocuous, many of the women lawyers had to cope with frequent reminders of gender differences that are demeaning and call the legitimacy of their claims to professional equality into question.

Overall, one-fourth (24.5 percent) of the lawyers reported being sexually harassed, that is, receiving unwanted sexual advances in a professional situation. Of the women reporting harassment, 85 percent said that it occurred more than once in the past year. The primary perpetrators were other lawyers (45 percent), followed by clients (31.3 percent), judges (17.6 percent), and other legal personnel. The incidence and perpetrators reported here are similar to the frequency and source reported in another study of women lawyers (DeBenedictis 1989) and in studies of other women professionals as well (LaFontaine and Tredeau 1986; Loy and Stewart 1984; Schneider 1985). As with disparagement, age was related to the frequency of harassment. Women under 35 reported being harassed more frequently than did older women (52.8 percent to 17.9 percent; $p = .02$) and in this sample, although married women were less likely to be harassed, that status did not provide the expected protection against unwanted sexual advances (married, 20.2 percent; single, 29.8 percent).

Role Orientation and Reports of Sexist Behavior

Contrary to theoretical expectations, women labeled feminists were not more likely to report sexist behavior than careerists were. The latter reported slightly more disparagement and significantly more harassment (27.3 percent to 12.5 percent; $p = .01$) than feminists (see Table 3). These results are not related to age or marital status. In fact, older careerists, (32.3 percent), compared to older feminists (8.3 percent), reported sexual harassment. Nor can the results be attributed to workplace effects, because equal proportion of

TABLE 2: Percentage Reporting Disparagement and Harassment by Workplace

Treatment	N ^a	Private Sector			Public Sector		
		Solo	Firm	In-House	Government	Court	Other
	100 (161)	11.8 (19)	26.1 (42)	9.9 (16)	37.3 (60)	7.5 (12)	7.5 (12)
Disparagement							
Act as secretary	17.5	22.2	17.6	25.0	16.3	0.0	25.0
Inappropriately addressed	66.0	75.0	73.7	68.8	66.6	61.5	30.8
Gender-sex emphasis remarks	64.5	78.9	78.6	68.8	65.0	33.3	33.3 ^b
Addressed by first name	32.0	29.4	28.9	33.3	39.2	25.0	16.7
Harassment							
Unwanted advances	24.0	26.3	43.6	25.0	18.4	0.0	15.4 ^b

a. The number of responses to these items varies slightly.

b. Kendall's tau B: $p = .01$.

TABLE 3: Role Orientations by Harassment, Workplace, Age, and Marital Status (Percentages)

	<i>Careerists</i> (<i>N</i> = 89)	<i>Feminists</i> (<i>N</i> = 64)
Reporting harassment by age	27.3	12.5
Under 35	29.0	18.7
35+	32.3	8.0
Workplace		
Solo practice	9.5	6.7
Private firm	23.8	23.3
In-house counsel	11.9	3.3
Government agency	42.9	35.0
Court	6.0	10.0
Other	6.0	21.7
Under 35	47.7	51.5
Married	65.3	51.2

careerists (23.8 percent) and feminists (23.3 percent) work in private firms, where, as we shall see below, women lawyers are most at risk of being sexually harassed.

Given the small size of the subsample used ($N = 153$) in the analysis of role orientation, we have to be cautious about interpreting these results. Nevertheless, the data indicate that lawyers in this community whose careerist identity, age, and marital status would lead us to expect reports of a low incidence of harassment, reported significantly more harassment than did their colleagues with a feminist orientation. Whatever the reason for the results, it is clear that the proportion of women who report having been victims of harassment is unrelated to the heightened political sensitivities of feminists or to the vigilance with which they monitor and, subsequently, report their relationships with men at work.

Workplace and Sex Ratios

Tables 3, 4, 5, and 6 show that, although discrimination at the front door is unrelated to workplace, as we expected, variations in the proportion of on-the-job discrimination, disparagement, and harassment are related to where the women worked and the sex ratio of lawyers on legal staffs. When comparing themselves to men, women in the private sector—that is, in solo practice, in firms, and in the offices of in-house counsel—reported significantly more discrimination relative to salaries, promotion, and work assign-

TABLE 4: Percentage of Discrimination Reported by Workplace

<i>Treatment</i>	<i>Private Sector</i>			<i>Public Sector</i>		
	<i>Solo</i> (n = 20)	<i>Firm</i> (n = 51)	<i>In-House</i> (n = 19)	<i>Government</i> (n = 72)	<i>Court</i> (n = 16)	<i>Other</i> (n = 13)
Front door						
Recruitment	<i>n.a.</i> ^a	20.8	15.7	16.6	33.3	30.7
Hiring	<i>n.a.</i>	22.4	21.0	13.6	18.7	30.7
Rewards						
Salary	55.0	48.9	55.5	32.8	25.0	26.6 ^b
Promotion	<i>n.a.</i>	37.5	37.5	28.1	20.0	23.0 ^c
Activities						
Legal assignments	<i>n.a.</i>	42.8	22.2	27.9	46.1	40.0
Pretrial	<i>n.a.</i>	37.7	13.3	17.2	33.3	30.0
Courtroom	<i>n.a.</i>	34.7	35.2	24.5	37.5	20.0
Settlement	<i>n.a.</i>	31.2	37.5	16.9	20.0	40.0 ^c
Research	<i>n.a.</i>	25.5	11.1	22.3	0	20.0

NOTE: The number of responses to these items varies slightly. Not all items, particularly those listed under Activities, are equally relevant to jobs in all work settings.

a. Not applicable.

b. Kendall's tau B: $p = .02$.

c. Kendall's tau B: $p = .05$.

ments than did women in public sector workplaces (Table 4). Courts, however, are a special case. As anticipated, women enjoy protection in hiring and salary in courts, but larger proportions complain of discrimination in the distribution of work.

Not all types of disparagement are related to workplace (Table 2). Nevertheless, the most demeaning form of disparagement, being the target of remarks that emphasize gender characteristics and sexuality, occurred more often in private sector workplaces. A further analysis of the data indicates that virtually all women under 35 working in the private sector were vulnerable to this type of disparagement; 85.7 percent in solo practice, 92 percent in private firms, and 100 percent of the in-house counsels compared to 65.3 percent of the younger women in government agencies and only 33.3 percent in court settings.

As expected, women who were most likely to experience discrimination and disparagement were more often the targets of sexual harassment as well (Table 2), with significantly more reports from lawyers in private sector jobs. The frequency of harassment was particularly high in private firms, where 43.6 percent of the lawyers reported having been harassed during the past year. This is more than double the proportion reporting harassment in governing agencies (18.4%).

TABLE 5: Percentage of Net Discrimination Reported by Token and Nontoken Status

	<i>Token</i>	<i>Nontoken</i>
<i>Treatment</i>	<i>(61)</i>	<i>(102)</i>
Front door		
Recruitment	24.6	16.6
Hiring	23.4	15.8
Rewards		
Salary	51.8	28.9 ^a
Promotion	42.5	22.3 ^b
Office	34.6	15.3 ^a
Activities		
Legal assignments	41.9	29.1 ^a
Pretrial	36.6	17.8 ^a
Courtroom	35.6	24.1
Settlement	28.3	22.8
Research	28.9	15.7

NOTE: The number of responses to these items varies slightly. Not all items, particularly those listed under Activities, are relevant to jobs in all work settings. Solo practitioners are not included.

a. χ^2 : $p = .02$.

b. χ^2 : $p = .01$.

TABLE 6: Percentage Reporting Disparagement and Harassment by Token/Nontoken Status

	<i>Token</i>	<i>Nontoken</i>
<i>Disparagement</i>	<i>(57)</i>	<i>(98)</i>
Treatment		
Act as secretary	22.9	15.0
Inappropriately addressed	70.7	64.2
Gender-sex emphasis remarks	69.0	62.9
Addressed by first name	31.4	32.6
Harassment		
Unwanted advances	34.6	20.5 ^a

NOTE: The number of responses to these items varies slightly due to missing data. Solo practitioners are not included.

a. χ^2 : $p = .06$.

No harassment was reported by women in court positions. Age had no significant interaction with workplace, but marital status did. Although marital status was unrelated to reports of harassment in the public sector (single,

20 percent; married, 14 percent), single women in the private sector, as compared to married women were clearly at greater risk. In solo practice, never-married and divorced women compared to their married colleagues were five times as likely to have been harassed (66.0 percent to 13.3 percent), and, in private firms, they were twice as likely (62.5 percent to 30.4 percent) to have been harassed.

Token Status and Sexism

The disadvantages related to working in settings where men make up 80 percent or more of a legal staff are clearly evident (Table 5). Although women in the private sector are more likely to have token status, regardless of work setting, token women are roughly twice as likely to report differential treatment with regard to salary (51.8 percent to 28.9 percent), promotion (42.5 percent to 22.3 percent), and office facilities (34.6 percent to 15.3 percent). They also report significantly more discrimination in legal assignments (41.9 percent to 29.1 percent) and pretrial work (36.6 percent to 17.8 percent), probably reflecting their typically low status and concentration in less remunerative specialties. Although no differences are evident in terms of disparagement between tokens and nontokens (Table 6) tokens are more likely to report unwanted sexual advances (34.6 percent to 20.5 percent). Being older or married protects both tokens and nontokens.

To sum up, women in the private sector, particularly in firms, were most likely to experience the full brunt of sexism at work, that is, to report the coexistence of discrimination, disparagement, and harassment. As compared to nontokens, women in token positions were more likely to experience discrimination and harassment. Neither age nor marital status had consistent effects when crossed with workplace. Nevertheless, in the private sector, being young virtually ensured that women would be disparaged, and being married provided protection from unwanted sexual advances.

DISCUSSION

It is ironic, as others have observed (Hale and Kelly 1989; Rosenbaum 1985), that legal and social developments that have effectively opened the door for professional women may indirectly reinforce patterns of gender stratification and inequality. This seems to be the case in the community we studied. The relatively good experiences of these lawyers on their way into the profession have not been sustained. In private sector workplaces, almost

one-half report inequities in salary and promotion and believe that their assignments, and therefore their opportunities, are restricted. Regardless of where they work, disparagement is pervasive, and, for certain women, the risk of being harassed is high. Consequently, within the context of their daily work, many are forced to cope with situations in which their aspirations are thwarted and their professional standing subverted.

As we expected, on-the-job discrimination and other forms of sexist experience tend to be concurrent, higher in private as compared to public sector workplaces, and higher among women who are structurally isolated. It is not surprising that women in token positions and in solo practice are more frequently the victims of discrimination and harassment. The environments in which they work promote their visibility, thereby exaggerating gender distinctions, and provide few institutional constraints that might inhibit rejection or hostile overtures. It may be that, in the private sector, a professional ethos that embodies competitive models of achievement and masculinized ideals of lawyerly behavior exists that account for the reports of stronger resistance to women than evidenced in public sector workplaces. Or formal rules and the enforcement of affirmative action policies may be even less effective means of protecting women in private settings than in the public sector, where, as public disclosures have demonstrated, rules, policy, and public scrutiny do not guarantee civility and equal treatment.

Increasing numbers of women are being recruited into the private sector (Curran 1986), and this is precisely where the careers of women are most in jeopardy. Overall, younger women are also more subject to both disparagement and harassment than are older women, a finding consistent with most past research. But in private firms, older women were as likely to be harassed as younger women were. Despite cultural norms that should protect older women in this setting, they were as vulnerable as young colleagues (32.3 percent to 29 percent). On the other hand, being married, which for this sample overall was unrelated to harassment, did prove to be a protection for those women working in the private sector. How might we interpret these curious results? One possible view is that harassment is not primarily sexual behavior but, rather, a form of aggression aimed at stabilizing gender stratification. Should this be the case, the age of the target would be immaterial. On the other hand, being married may provide protection for those women regarded as already "taken" by other men who have legitimate claims to them as sexual property.

With the increased number of women in private sector locations and changing values, we might have expected less resistance to women than is reflected in these data. But, more than a decade ago, Epstein (cited in Yoder

1991) worried that increasing numbers of women in law and other professions might be viewed as intruders and a formidable threat to men who then evoke subtle but effective strategies for protecting the boundaries of their domains. One of the ways this might be accomplished is the systematic use of on-the-job discrimination, ubiquitous disparagement, and harassment described here.

If aggression is a defensive response to women as intruders, that does not necessarily mean that all women are equally vulnerable. Some women may appear to be safer targets than others. A safe-target explanation may apply to women in structurally isolated positions, such as tokens and solo practitioners. But it may also explain why twice as many women with careerist as compared to feminist orientations report that they have been harassed. The explanation may lie in the public persona and the messages unintentionally conveyed by women with different professional orientations. As we have indicated, the women categorized as careerists reject feminist objectives and labels. They behave as if the fiction of the gender neutrality of the lawyer's role is a reality, as if gender is inconsequential to their careers, and as if it does not shape their relationship to men and other women at work. Their willingness to view the class structure of the profession as a meritocracy resulting from open competition without acknowledging the handicaps of being women, may in fact, be inadvertently sending the wrong message to men, making these lawyers more, rather than less, vulnerable to sexual overtures.

In the absence of a moderating organizational climate in which affirmative action is enforced and universal principles for the allocation of rewards applied, men may believe that careerists, anxious to compete and observant of other professional rules authored by men, have too much at stake to publicly expose them, that they will go along with the professional and social norms that encourage tacit compliance and discourage women from reporting harassment. Simply put, careerists could be vulnerable because they appear to be safe victims.

On the other hand, men might avoid those women whose feminist position is taken as a signal to colleagues that they will not be complicit in sexual games at work, that there will be costs to men who behave in sexually offensive ways. Should this be the case, ironically feminists would be protected because they express their view that gender, independent of competency and talent, accounts, in part, for the class structure of the legal profession.

The different levels of harassment reported by feminists and careerists could be the product of special circumstances in this one community. But the data suggest that different ways of behaving, related to different professional

orientations, evoke more or less restraint on the part of men as they attempt to maintain the system they have controlled for so long. It is clear that, among our respondents, a feminist identity does not invite higher levels of aggression or lead to exaggerated perceptions or increased reports of sexist behavior on the job.

The issue of the relationship of women's professional orientation to the experience of sexism at work is worth pursuing in further research. For years, women entering the profession have been advised to be patient, to play down women's issues, and to take on the values of the men who have preceded them (Rhode 1988). But those women who play the careerist game may unintentionally reinforce those aspects of organizational and professional culture that encourage men to believe they can control women or drive them out through discrimination and sexual manipulation. This throws quite a different light on the decisions that women make concerning their professional relationships and on their strategies for addressing issues of gender equality.

This study finds that reports of sexism at work are not subjective accounts that have been filtered through an ideological lens, with feminists more sensitive to men's offensive behavior than are women with other orientations. Rather, different levels of sexist experience are grounded in the relationship of men to women who seem more or less vulnerable and in structural features of the workplace. The data support the views of many observers that sexism in organizations has little to do with sex, but a great deal to do with the politics of gender. In this community, in some settings more than in others, it has distorted professional relationships and has had restrictive consequences for the careers of many of the women who participated in this study.

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