

# The Social Identities of Women Lawyers

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*ABSTRACT: This study uses Q methodology to examine the social identities of women in the final stages of law training. Statements concerning identity, structured around Tajfel and Turner's status quo, social mobility, and social change identity perspectives, formed the Q sample, which 40 women sorted in terms of their representations of identity in a work context. The completed Q sorts were factor analyzed, resulting in eight representations of identity which were interpreted to reveal differing emphases placed on gender identity and the relevance of other group memberships.*

The aim of this paper is to examine the range of representations which women lawyers draw on in conceptualizing their social identity, looking in particular at the way in which gender identity is interlinked and moderated by other group memberships. Social identity theory (Tajfel & Turner, 1979) provides a focal point inasmuch as it allows consideration of social identity processes and the resulting identity represent-

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ations. The social identity framework conceptualizes society as composed of social groups that stand in varying positions of status and power relative to one another. An individual's social identity is derived from membership of a social group or groups with the accompanying emotional significance and evaluation of group membership. Tajfel and Turner suggest that social identity acquires meaning only in relation to or in comparison with other groups. They predict that in order for group members to evaluate their group they will engage in intergroup comparisons, attempting to achieve a positive sense of identity.

If membership of a particular group gives rise to a negative identity, as for example with low status groups in a stratified hierarchical society, the individual group member's response to the situation depends on his or her beliefs about the nature of existing social relations. If the individual accepts the relations laid down by the status quo, then he or she is unlikely to attempt to change the situation and will adopt the behavior and values of the group as defined by the status quo; however, if the individual perceives the situation to be illegitimate and unstable, and is aware that a range of alternative representations of identity exists (i.e., that other possibilities are open to the low status group members besides legitimized inferiority), then various strategies may be adopted to change the situation.

Tajfel and Turner argue that rather than drawing upon an alternative identity from the range extant in the culture, individuals will adopt strategies towards the outgroup referred to as *social mobility* and *social change* strategies. A social mobility strategy consists of a subjective or individual restructuring of the social system: it involves the belief that the group member's position as an individual in society can be improved by leaving the present social group, disassociating with that group, and moving to another more "suited" group by taking on its behavior and values. This may result in the adoption of an "improved" identity for the individual, but leaves the group position and therefore the status quo unchanged. On the other hand, a social change strategy employs

the belief that it is not possible or indeed desirable simply to move out of the group, and that the only way to change the negative social identity is to act collectively, with the group as a whole, moving to develop new social structures and alternative ideologies.

An initial theoretical attempt to apply social identity theory to women was made by Williams and Giles (1978), but it has been argued that their assumption of a unified representation of gender was mistaken and that variations in representation of gender identity need consideration (Breakwell, 1979). This has been attempted in a number of studies -- e.g., social identity in the transition to motherhood (Baker, 1989), and the meanings and implications of feminist identification for young women (Griffin, 1985). It has also been shown that social identity theory has confused questions of identification with ideology. Specifically, social identity theory predicts that women who accept the status quo in terms of traditional sex role stratification will hold a negative sense of gender identification. Condor (1986) has shown that this is not necessarily the case, and has also pointed out that women in professional or academic positions who have engaged in a radical political analysis concerning sex role relations may adopt individualistic strategies as a means towards change, as well as disassociating with gender groups.

A number of further problems have been highlighted by this recent work. First, it is clearly important that any understanding of social identity is rooted in a specific social context. Too much emphasis has been placed on research which tests parts of Tajfel and Turner's formulations using artificial manipulations with temporary group membership and which do not allow holistic descriptions of the representations of identity which are available within the culture. Second, it has been argued that as well as looking at different representations of what it means to be a woman, it is also important to examine how other group memberships (e.g., class, race, and age) moderate gender membership (Lloyd, 1989; Bhavnani & Coulson, 1987).

This study will address some of these problems by examining representations of social identity voiced by women who are in their final stages of training as lawyers, or have recently qualified as solicitors. The study will consider social identity in terms of gender identity representation in a work context, and will examine the interrelationships of other identities with that of gender. These women were chosen as the focus of this research because law is a profession that has been dominated by men but is now changing. In Edinburgh, Scotland, at the time that this research was carried out, women constituted 51% of the group entering legal training. Given the growing number of women entering law, it would be expected that there are several representations of identity that women can draw on as they begin law.

There are two main aims of this study: First, to investigate whether Tajfel and Turner's three belief perspectives of social identity (status quo, social mobility, and social change) can be identified by these women's representations of themselves in a work context; and second, to give consideration to the ways in which gender identity is interrelated and moderated by other group memberships.

### *Method and Participants*

A constructionist approach to the use of Q methodology permits exploration and explication of representations of identity with no concomitant evaluation that any one perspective is better than any other. It also allows participants to structure their own accounts of identity without interference from a priori assumptions by the researcher as to the meaning of the representations which will emerge. Full description of Q methodology can be found elsewhere (Stephenson, 1953; Brown, 1980; Kitzinger, 1984).

Each participant was asked to sort a set of 61 statements according to her own subjective point of view, by ranking them from strongly agree (+5) to strongly disagree (-5). The statements were selected from preliminary interviews with 30 women in the final years of legal training. The interviews

were comprised of questions about how participants saw and evaluated themselves as lawyers, as women, and as members of other groups that were important to them in the context of work and home. A set of statements embodying each of the three identity perspectives (20 each of status quo, social mobility, and social change statements) formed the final Q sort (see Appendix). Statements were also selected to represent a variety of dimensions of professional and gender identity, including aspects of the participant's personal and social identity, as an ingroup member and in an intergroup context.

Forty women who were either in their final year of law training or who had recently qualified as solicitors completed the identity Q sort. All were living in Edinburgh at the time. Approximately half were Scottish and half English, the majority defining themselves as middle class. Ages ranged from mid-20s to mid-40s.

### *Factor Interpretations*

The 40 Q sorts were correlated and factor analyzed using the principal components method, resulting in 10 factors which were rotated to simple structure using the Varimax criterion. Of the factors, 8 were considered interpretable in terms of representations of identity available to the women in the collectivity. Since factors 4, 5, 7, and 8 were each defined by a single Q sort, the interpretation for those factors is based on the individuals' Q sorts; all other interpretations are based on factor scores, supplemented by comments from the response sheets.<sup>1</sup>

*1. A Feminist Perspective.* This factor illustrates a strong gender identification, specifically with being a feminist, and the intention expressed is to introduce these values in a work context (statement 36 +5). (See Appendix for statements.) Social change in terms of benefitting women's position is emphasized (6 +5, 18 +3), and this is reflected further in the strong disagreement with statements referring to the impossi-

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<sup>1</sup>The factor loadings and factor scores providing the basis of the factor interpretations are available upon request.

bility of changing the sex role status quo, or the negative evaluation of women relative to men (2 -5, 56 -5). Gender identity is the central organizing feature of this factor, and overrides occupational identity (61 + 3); little importance is attached to other group memberships. This factor would seem to relate closely to Condor's description of women who draw on a radical analysis of male/female relations and identify strongly with the gender group. It is not immediately clear whether the intention to actively initiate change within the law is represented as an individualistic or group based strategy; therefore, links with Tajfel and Turner's social change description as regards sex role stratification must remain tentative.

**2. General Social Change.** The emphasis in factor 2 is on the need for general social change within the legal system, attempted as a group based strategy (35 + 5, 23 + 4, 47 + 5). There is a complex interrelationship of occupational and gender identity represented; traditional sex roles are not accepted as unchangeable, and there is disagreement with the negative evaluation of women's capabilities as lawyers (20 -5, 2 -4). In terms of identification, however, there is marked disassociation with being a woman and disagreement with feminist principles (36 -3). Positive discrimination for women is clearly rejected; instead, the suggestion is that women and men are essentially different, and that a different but equal perspective should be adopted.

*Q sorter 8:* I think it is ridiculous to say that there are no differences between men and women. The fact that there are differences is what we ought to develop since women are better than men at certain things and vice versa. We should find out what these differences are and exploit them. [Comment from interview]

The wish to be categorized as "good lawyers" rather than "good women lawyers" is clearly expressed, and in this way occupational identity is emphasized over gender identity *in this work context*.

*Q sorter 21:* As lawyer I wish only to be seen as that in my job. Otherwise, I am a person mainly, but a woman when it suits me.

In relation to Tajfel and Turner's predictions, factor 2 illustrates a "social change" perspective in terms of the prioritizing of legal change attempted as a group based strategy. There is a radical perception of sex role relations, yet also a deemphasis of gender identity.

*3. Traditional Perspective.* Factor 3 shows strong gender identification. Traditional male/female relations are accepted and result in the perception of a conflict of identities, with "feminine" characteristics seen as incompatible with those needed to make a good lawyer. Statements placed in positions of strongest agreement emphasize the traditional female role within a domestic domain carried into law (38 +5, 32 +5). There is strong identification with being a woman, shown in the disagreement with statements which suggest disassociating or underplaying gender (42 +3, 61 +4). Doubt is expressed about whether women can make good lawyers, or, in general terms, whether women can succeed in high powered professional positions (50 +3, 44 +2). There is no indication that alternatives can be seen to the status quo even though its effect is seen as negative (2 +4, 14 +3). There are a number of negative implications for women who draw on this traditional representation of sex role relations in a work context, which include a lack of satisfaction with the professional, competitive aspects of being a lawyer (19 +5, 51 -5), a weak sense of occupational identity or importance placed on career (58 -4), and the most uncertain future career plans of all the factors (37 +2).

*4. Satisfying Job / 5. Professional Perspective / 7. Career Woman.* The descriptions of these three factors are combined as they all place greater importance on occupational rather than gender identity. Various personal satisfactions and positive evaluation derived from occupational identity are emphasized (factors 4 and 5: 39 +4 +5; factors 5 and 7: 45 +4 +5, 21 +5 +3). Factor 7 draws on the representation of "career woman" (28 +3). The positive evaluation of self as a

competent professional is seen clearly in factors 4 and 7. Comments from the response sheets state the reasons for placing such importance on occupational identity:

*Q sorter 5:* A career is important in the sense that society is work oriented and you can't be happy and survive unless you've got a job and a constant supply of money coming in.

Disassociation with gender identity is shown in all factors (4 +4 +2 +4). Factor 7 adopts the perspective that women should see law as a challenge (34 +4, 40 +4). Yet here the view is also expressed that in general terms there are differences between women and men and that women's capabilities are questionable (10 -4, 46 +2). So then, factor 7 not only shows disassociation from gender group, but also draws on the representation of being an exceptional case, as being successful despite the difficulties of achieving in a man's world. In this respect, this account describes a "social mobility" perspective. In these factors, occupational identity overrides gender identity and individualistic gain is the main motivation for going into law.

*6. Change in Class Structure.* In this factor, analysis of classism in law and the need to change this is the main emphasis. Overall the focus on class relations overrides consideration of male/female relations (17 +5, 53 +5). *Q sorter 25* comments on her belief that an end to the class bias in law is needed more urgently than changes for women:

*Q sorter 25:* The thing struck me at interviews for getting places. I don't know, it's not so much whether you're female, it's more general class background. That's where the prejudice still is.

There is a rejection of professionalism in law, which fits in with the general social change ideology in which individualistic success and personal gain are not seen as particularly desirable (9 -5, 51 -5, 57 -4). As regards self esteem derived from occupational identity, there is lack of confidence expressed (45 +4, 57 -4, 1 +3), and it is possibly this that leads to a certain pessimism as regards the possibility of change. While a radi-



cal analysis of class relations is emphasized, perception of male/female roles suggests a traditional perspective and the importance of gender identity is clearly down-played in a work context (61 -4).

*8. Christian Perspective.* The factor 8 identity as a Christian is placed before any considerations of gender or occupation, and relates to an acceptance of traditional male/female relations. The most striking impression given here is of the low ratings given to the importance of both occupational and gender identity (61 0).

*Q sorter 11:* The first thing that comes in my life is god because I'm a Christian and that has to come first, before anything, before career, before marriage and family, though I would imagine a family would come second.

There is agreement with traditional roles for women (38 +4, 32 +4), and this acceptance of sex role differentiation and the concomitant values shapes the consequent unimportance placed on career (58 -5, 28 -5). The emphasis on religious identity would seem to shape the acceptance of traditional sex stratification and low estimation, in general terms, of the importance of careers for women.

### *Discussion*

Having examined the eight factors which emerged from analysis of the 40 Q sorts, it has been possible to outline the ways in which the participants represent gender identity and other salient identities in a work context. It remains to examine whether Tajfel and Turner's identity perspectives relate to the factors, giving specific attention to the importance placed on gender identity and the moderating effect played by other group memberships. As a preliminary point, there was clearly diversity in the importance and salience of gender identity in the context of law.

Factors 1 and 3 describe strong gender identification while the other factors portray various degrees of disassociation with gender group. Factor 1 was the only factor to illustrate

a feminist representation: Gender identity was salient and positively valued with a description of an intention to engage in social change for women in the law. This, then, came close to Tajfel and Turner's social change perspective in its outline of strong identification and rejection of traditional male/female relations. While factor 3 also illustrated strong identification with being a woman, there was an acceptance of traditional representations of male/female relations which had a number of negative consequences both for self esteem in a work context and for general ideas about women's potential for success as lawyers. While, in Tajfel and Turner's terms, a status quo perspective was shown, this did not involve a weak or negative gender identification. In this sense, there was support for Condor's argument that women can hold a traditional perspective concerning male/female relations and still hold a positive sense of social identity.

Factor 2 was characterized as representing, foremost, an attempt to go into law to make general changes. A collective strategy was described as being the best way to activate these changes. In this sense, the factor could be seen as a social change perspective with respect to occupational identity. However, it was difficult to fix this factor into one identity perspective as there was no indication of the need to change the law to benefit women's position. Similarly, factor 6 emphasized the need for social change in the law, this was clearly focused at changing the class structure by means of a group based strategy. In this account, it appears that occupational identity eclipses gender identity in terms of salience, yet this identity representation was overshadowed by doubt and uncertainty concerning personal capabilities. Again, it was difficult to place this factor into any one identity perspective. It would seem to fall within a social change perspective with regard to occupational identity and a status quo perspective with regard to gender identity.

Factors 4, 5, and 7 all emphasized individualistic perspectives and a positive sense of social identity derived from the personal satisfactions of occupational position. In each case, there was disassociation from gender group. This was seen

most clearly in factor 7, which was closest to a social mobility perspective. In each factor the main motivation was personal gain.

Factor 8 describes a strong and positive sense of identity in the context of religious group membership and consequently little importance expressed concerning gender or occupational identity. The representation of male/female relations in traditional terms and general unimportance attached to a career would seem to follow from religious identification. The complex interrelationship of identifications and differing degrees of salience expressed in this context could not be said to fall easily into Tajfel and Turner's identity taxonomy.

The explication of the eight factors derived from this study suggests that Tajfel and Turner's model of social identity is far from comprehensive in terms of accounting for the variety of representations of identity available. Tajfel and Turner appear to have captured three possible approaches to identity, but a closer examination of cultural pattern reveals that this model is too simplistic. This study would give support to the argument that when we allow diversity in identity to emerge, it will do so. Thus, we see that identity is not an idiosyncratic individual product, nor merely one of a limited range of means of reacting to group status, but instead that there exists a range of identities regarding gender/occupational and various group affiliations which may be voiced. The representations emerging from this study support the argument that it is important to explore identity using a variety of dimensions which include not only examination of the strength of various identifications, but also consideration of the personal and social implications associated with representations of different group memberships.

It is not claimed that this study has revealed the complete range of identity perspectives; it is to be expected that alternative representations could be reported in other contexts, e.g., in a domestic situation. However, the study can be taken as a "snapshot" of a range of the different ways that identity can be represented, and the ways in which these representations can be drawn upon in a specific context.

Because of the frozen quality of a snapshot, this study is not able to illustrate the dynamic, shifting nature of identity, although from a social constructionist perspective this is to be assumed. However, we can see that although the Q-sort statements were compiled to make identity salient, the methodology permits accounting of other group memberships in relation to gender and occupation. When we allow for the interrelationship and moderating effect of other identities, we find that gender is not the only salient factor in the social negotiation of identities for women in this particular occupational context.

### **Appendix: Identity Q Sample**

1. I don't see myself as sufficiently polished and professional to be a good lawyer.

2. It's reasonable that employers are reluctant to employ women as they will leave to have a family.

3. Sometimes when I think of myself as a lawyer I think of myself as more clever than other people.

4. As a lawyer I would like to be appreciated not as a woman, not as a man, but just as a lawyer, as someone who knows what the law is about.

5. As a lawyer I hope to work towards making the law less professional.

6. There is a need for women to go into law in order to create an image or a model of a woman lawyer in order for the face of law to change.

7. I ended up doing law as I couldn't think of anything else to do.

8. I'm not sure that women have the determination to get to the top of the legal profession.

9. Sometime I see myself as a professional, having specialized knowledge and ability.

10. I don't think there are any differences between women and men lawyers.

11. Ideally I hope to combine personal satisfaction from being a lawyer with an attempt to change the law in some way.

12. I want to specialize in family law as I see it as a way of specifically helping women whether with divorce, child custody, domestic violence or whatever.

13. I don't think I would cope very well with people relying on me.

14. You can't change the fact that if a woman is as good as a man applying for a job, the man will get it.

15. I like the idea of huge earning ability in certain areas of law.

16. I chose law as I saw it as a way of standing on my own two feet.

17. I think it's important to try to change the class bias in law alongside the sexist bias.

18. I want to use my law training specifically to help women.

19. I find the competition in law offputting.

20. I think men may be more suited to the top positions in the legal profession.

21. I enjoy the respect others give you when you say you're a lawyer.

22. You'll only survive as a lawyer if you're prepared to accept the middle class, conservative values in law.

23. I'll continue with law even if I see a lot that's wrong with it because you're only able to do something about it if you're

knowledgeable about what goes on.

24. The lip service that is paid to the fact that more than half the students are women does not mean that there's going to be a change in the male dominated attitudes of the legal profession.

25. I've got put off by the uncaring sort of attitude you're supposed to have, very cool, you don't think of people as people, just as clients.

26. I think women may not be able to disassociate themselves from a case as well as a man can.

27. I'm doing law for the purely practical reason of wanting a good job at the end.

28. I think of myself as a career woman.

29. As long as I feel that I'm making a small mark forming a small part of the tiny group of people who stand against the reactionary law structure and values I'll feel that it's worth going on.

30. I think women have a lot of qualities that may make them better lawyers than men.

31. I have no burning desire to do law.

32. I think it's natural that a lot of women are most interested in family law.

33. I enjoy law as it exercises my mind.

34. There are so few women in law, particularly in the front of law, that they should see it as a challenge.

35. As a lawyer I hope to make the law more accessible.

36. I want to combine my feminist principles with my practice as a lawyer.

37. I don't think I will continue with law.

38. I think it's inevitable that most women value settling down and having a family more than having a career.

39. For me, being a lawyer is a means of fulfilling all the things I want to do as far as job satisfaction is concerned.

40. I've always enjoyed being around with the opposite sex, including working with them, so as a lawyer I see myself as one of them, no differences between us.

41. Part of the way towards changing the law is by treating people as you would like to be treated.

42. I want to use my law training in such a way that I don't have to repress the fact that I'm a woman.

43. I don't know how good a lawyer I'll make because I think I might be oversympathetic towards the client.

44. I'm doubtful of the mark women can make on the law because they're women.

45. Being a lawyer gives me confidence.

46. Women have to be especially good if they want to get anywhere in law.

47. Lawyers must work together as a group towards changing the law and how it is practiced, rather than individually.

48. I think that being a woman doing law is a step towards demystifying the law.

49. I think as a lawyer I might get too involved in the cases.

50. I think women may lack the necessary ambition to motivate them to succeed in law.

51. I like the idea of a certain degree of power.

52. Rather than thinking, can I do law for myself as a woman, I think can I do law for myself.

53. At the moment I see law as a rich man's instrument and it seems to me that law should be a poor man's instrument as well.

54. I don't want to go into the law which is a male world, the epitome of male oriented society and accept that I've got to be a token woman.

55. I think men may make better lawyers than women because they are more analytical.

56. I don't think women are able to remain sufficiently uninvolved emotionally to make them really good lawyers.

57. My image as a lawyer is of someone who is very much in control of the work they're doing.

58. My career is as important to me as it would be to a man.

59. I don't want to get pulled into the individualistic, power-climbing attitude to law.

60. It's bad enough having legal problems as a woman without having an unpleasant experience with a lawyer who is very likely to be middle class and male and who can't empathize with what you're talking about.

61. My identity as a woman is more important to me than my identity as a lawyer.

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*Life may have no meaning -- or even worse, it may have a meaning of which I disapprove. (Anon.)*