



PIM Annual Research Conference - 2021

with

Industry Dialogue

November 23 - 24, 2021



**Postgraduate
Institute of
Management**
University of Sri Jayewardenepura

Postgraduate Institute of Management
Annual Research Conference – 2021
(PIMARC 2021)

Proceedings
“Reflecting Reality Through Research”

November 23 – 24, 2021



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PIM Annual Research Conference – 2021

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ISBN 978-955-4908-92-5

Published and Distributed in Sri Lanka

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What causes women lawyers to hit a glass ceiling? A suggestion for legal education and professional institutes in Sri Lanka

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ABSTRACT

A very few women lawyers have been represented in senior positions even though many women enrolled in the profession, reflecting a severe problem in women career advancement in the legal profession of Sri Lanka. In this context, psychological factors such as perceived gender ideology predicting women's career advancement have rarely been studied. Hence, this study aims to investigate the role of perceived gender ideology, and career choice on the career advancement of women lawyers. Data from a purposive sample of three hundred and sixty women lawyers in mid and late-career stages representing ten different job categories in the legal profession were analysed deploying Structural Equation Modeling. It was revealed that women lawyers' perceived gender ideology impacts their career advancement, while their career choices mediate the relationship between perceived gender ideology and career advancement. Further, career choice has shown no significant impact on career advancement. The study's findings suggest that the problem of slow and low women career advancement in the legal profession can be remedied through perceived gender ideology. It is established that such remedies are by means of improving appropriate personality traits within women lawyers to meet professional expectations by legal education and professional institutes. The study recommends legal education institutes to review and revise the existing law curricula to include relevant courses that guide the careers of future lawyers. In contrast, professional institutes are recommended to initiate career development programmes enabling women lawyers to connect with expectations of the profession.

Keywords: Career advancement, Career choice, Perceived gender ideology, Women lawyers, Legal profession of Sri Lanka.

Introduction

Women's career advancement in male-dominated professions has been one of the interesting areas of research in the recent past (Auster & Ekstein, 2005; Datta & Agarwal, 2017; Kolade & Kehinde, 2013). As reported in Sri Lanka, many women lawyers are unseen in the most honoured and influential positions in the legal profession, demonstrating the glass ceiling effect (Department of Census and Statistics, 2017; Samararatne, 2020). However, women involvement in upper-

* Extended abstract based on Management Research Thesis project, submitted in partial fulfilment of the MBA degree at the Postgraduate Institute of Management.

level decision making has been universally appreciated, because such different perspectives are believed in ensuring the rule of law, and independence of the judiciary, which are prerequisites of delivery of equal justice (International Commission of Jurists, 2014; UN Women, 2011). Therefore, gender disparity at senior levels in the legal profession prevents the inclusion of different views that support improving law and order in society. In this background, the amount of research carried out on the career advancement of women lawyers (Pinnington, 2011; Sommerlad, 2002), especially in the Sri Lankan context, has been scarce, signalling that there is a need for empirical studies (Samararatne, 2020).

Even though many theories are applicable for career advancement, the Kaleidoscope Career Model (KCM) of the Social Cognitive Career Theory is gender-sensitive, and has specified the importance of viewing women careers (Lent & Brown, 1996; Mainiero & Sullivan, 2006). Accordingly, career advancement depends on career choices made by individuals based on three parameters, viz., authenticity, balance, and challenge (Lent & Brown, 1996; Mainiero & Sullivan, 2006). However, KCM has been severely criticized for the lack of information on psychological factors that predict career advancement (e.g. Boyd et al., 2010; Brown et al., 2015; Sullivan & Baruch, 2009). Thus, Sullivan and Baruch (2009) suggested that future research should identify psychological factors that can predict career advancement.

The importance of psychological factors has been recognised as a possible predictor of career advancement in many previous studies (Boyd et al., 2010; Brown et al., 2015; Newman, 1993; Samararatne, 2020; Sullivan & Baruch, 2009; Wood, 2008), but perceived gender ideology is largely ignored. McCabe et al. (2006) have identified perceived gender ideology, referring to the self-identification of gender as a determinant of career choice, which is a behavioural outcome; but how it determines career advancement is yet to be examined. Therefore, this study raises the question, “What is the impact of perceived gender ideology and career choice on career advancement?”

Significant contributions of the study are the introduction of perceived gender ideology as a predictor of career advancement in KCM, and unveiling the mediating effect of career choice in KCM in the relationship of perceived gender ideology and career advancement. Therefore, the study explained an unexplained area of KCM by uncovering the impact of perceived gender ideology on career advancement. This study further addresses the lack of empirical work on the psychological factors specifically affecting career advancement (Boyd et al., 2010; Brown et al., 2015), and the lacuna in the career advancement of women in male-dominated professions in general (Pinnington, 2011; Samararatne, 2020; Sommerlad, 2002).

Methodology

Participants and Procedures

This research followed a quantitative approach to achieve the purpose of the study. Thus, Sri Lankan women lawyers in mid and late career stages are considered as the population of the study, and a woman lawyer in the mid or late-career stage was selected as the unit of analysis.

This study covered ten different job categories in the legal profession including academia, judicial service, state counsels, private practice and notary public, legal officers (private sector), legal officers (public sector), legal officers (semi-government), legal consultants, intellectual property agents, and others. A questionnaire was administered by adopting pre-validated indicators and questions to the proposed conceptual model (Barak & Stern, 1986; Greenhaus et al., 1990; Jayaratne & Dharmasiri, 2017; Sullivan et al., 2009).

Results and Discussion

The study findings reveal that perceived gender ideology has an impact on the career advancement of women lawyers. Importantly, perceived gender ideology focused in the present study relates to gender perception as well as to cognitive factors. Therefore, in combination, this finding affirms and extends two previous empirical studies, i.e. the study conducted in the United States by Taliaferro (2018) on influence of gender perception gaps on women career advancement, and the study conducted in India by Kang and Kaur (2020) on personal cognitive factors, which affect women career aspirations. The results further revealed that career choice mediates the relationship between perceived gender ideology and career advancement of women lawyers. This finding filled the gap mentioned by Samararatne (2020), where the legal profession in Sri Lanka demanded more career-related studies to ensure equality for women lawyers. In addition, career choice has shown no significant impact on the career advancement of women lawyers challenging the tenets of KCM. This empirical discrepancy is due to the application of KCM on women in a male-dominated profession (August 2010; Brown et al., 2015; Cohen, 2014).

Theoretical Contribution

The main theoretical contribution of this study is the impact of perceived gender ideology on career advancement, as it has not been addressed in previous studies related to the KCM of the Social Cognitive Career Theory in particular (Boyd et al., 2010; Brown et al., 2015; Sullivan & Baruch, 2009). The study has answered the criticism pertaining to the lack of explanations regarding the psychological factors affecting career advancement in KCM, by introducing perceived gender ideology as an antecedent of career advancement. The mediation effect of career choice in the relationship between perceived gender ideology and career advancement has been added to another contribution to KCM, to provide more theoretical explanations. Further, the study contributes to the literature by applying KCM in a significantly different context, i.e. mid and late career women lawyers in Sri Lanka. This explained that KCM produces different results in gendered professions (Mainiero & Sullivan, 2005). Altogether this study has attempted to present an unexplained area in the KCM of the Social Cognitive Career Theory.

Managerial Implications

The study presents several managerial implications to a wide array of stakeholders in the legal profession, including women lawyers, organisations responsible for professional conduct, educational and professional law institutes, institutions in the legal system, and organisations

outside the legal system. Mainly, managerial implications are based on improving appropriate personality traits within women lawyers to meet the required professional expectations. The personality traits expected of by the role of a leader have always been masculine traits, which mean instrumental characteristics such as independence, assertiveness and decisiveness. Also, the legal profession is based on masculine ideology, and women lawyers must develop these required masculine traits to fulfil the practical needs of their careers. These characteristics would lead to career advancement later on. As these traits are not inborn qualities but are shaped by socialisation processes and cultural expectations, extensive personality development programmes that groom women lawyers to assume leadership roles are recommended. Therefore, the following diversified suggestions have been presented.

Firstly, looking at the individual level, women lawyers determine their psychological gender as feminine or masculine if they intend to advance careers. In this regard, holding an accurate self-perception regarding one's gender is required to be compatible with professional expectations. Such women quickly move up the institutional hierarchy despite biological gender, because they are competent to make correct career choices. Participation of women lawyers in well-structured, and well-focused career counselling programs will educate and equip them to perceive psychological gender ideology in a better way.

Secondly, looking at the organisational context, the organisations responsible for professional conduct and institutions in the legal system are vested with a collective responsibility to educate women lawyers about the legal system's organisational culture and professional expectations. This is a vital need as the population of women lawyers is rapidly increasing within the profession, and representation in senior positions would become mandatory for many women lawyers in the future. In such cases, they need to protect, and maintain the established professional ideology to ensure the profession's future.

Thirdly, as the feminisation (i.e. increased number of women in the profession) of legal education is unavoidable, educational and professional law institutes are advised to review, and reform course curricula to prepare law graduates, to meet the new social realities, including gender empowerment of work environments. Therefore, it is essential to inject appropriate academic and professional courses to develop the relevant competencies and personality traits required by leadership positions in the legal profession to face future workplace challenges.

The courses revisited with the purpose of developing personality, competencies, skills, and experiences will shape law students' career goals, so that they can select a specific career path truly consistent with their interests and ambitions. In addition, these courses could teach students how to perceive gender correctly during career decision making, and how that perception impacts career advancement. This research promotes and proposes the inclusion of relevant management related disciplines such as Human Resource Management as a part of legal education, because interdisciplinary teaching furnishes future lawyers with broader knowledge. If these proposed initiatives are implemented by educational and professional law institutes, the paradigm of hegemony and subordination within institutions connected with the legal system will change.

This is because organisational culture transformation is long term process, and has to start from the grass-roots level.

Finally, women in the mid-career stage of any profession are irreplaceable because of their vast knowledge, experience and skills. Therefore, all organisations could focus on creating an improved, and inclusive workplace that will attract, retain and advance talented women. Resultantly, an increase in opportunities to grow will lead to organisational effectiveness and career advancement of women to senior positions. On the other hand, there is a need for structured organisational strategies to look more closely at organisational cultures, to ensure that they welcome and support women in a male-dominated profession. Thus, institutions in the legal system, and other organisations could transform some aspects of their cultures to fit the needs of women lawyers, which will contribute to the advancement of their careers. Finally, if the relevant stakeholders successfully address these managerial issues highlighted by the present study, the low career advancement of women lawyers in Sri Lanka could be satisfactorily resolved.

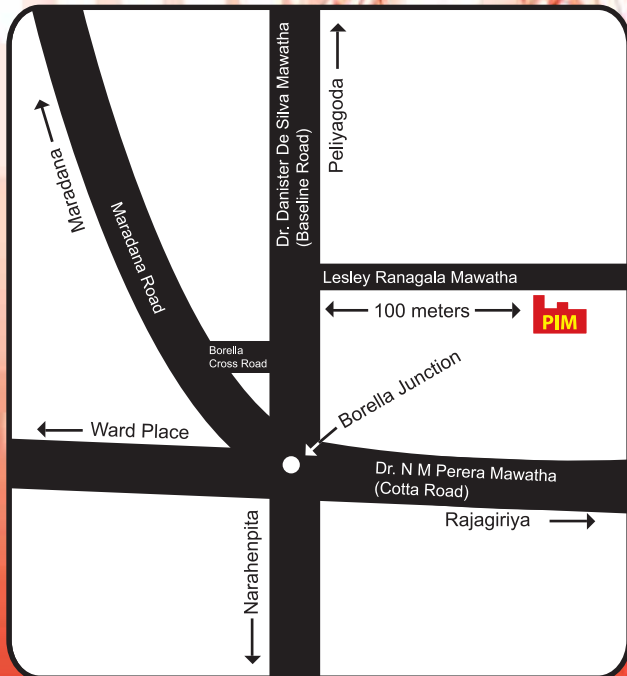
Conclusion

This study aims to explain the slow and low career advancement of women lawyers to senior positions. Thus, the study attempted to integrate perceived gender ideology with the tenets of the Kaleidoscope Career Model of the Social Cognitive Career Theory. Accordingly, the study developed a coherent conceptual framework to study the problem of career advancement of women lawyers, and the impact of perceived gender ideology and career choice on career advancement. According to the findings of this study, legal education and professional institutes are suggested to focus on a strategic approach to transform the perceived gender ideology of women lawyers to comply with professional expectations, which would later lead to career advancement. Finally, the problem of gender disparity will be resolved to some extent, and women perspectives will be incorporated at the decision-making levels in the legal system. Therefore, this paper has salient implications for academic researchers and practitioners in their organisations.

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