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De jure und de facto: Women in the Legal Academy

Research into the conditions of careers for women in the legal academy
to improve the organizational structure and culture in law faculties

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Project idea and foundation

- research
 - Women in the Legal Profession
 - Women in the World 's Legal Professions
 - Women in the Judiciary
 - Women in leading positions in the judiciary NRW
 - Gender and Judging
 - Women in the Legal Academy / Women Law Professors
 - funded by federal programme „Women to the Top“
<http://www.fernuni-hagen.de/jurpro>
- further training for women jurists (mainly judiciary and legal profession)

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Statistics

Situation of women in law faculties

Proportion of Women

- 1. and 2. legal (state) examination > 50 %
- dissertation < 35 %
- habilitation < 22 %
- women law professors C4/W3 < 10 %

- several faculties (of 42) with 1 woman law professor
- 3 without

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Statistics

Women in legal occupations

	judiciary %	prosecution %	legal profession %
1960	2.6		>2.0
1970	6.0	5.0	4.5
1980	13.0	11.0	8.0
2009	35.79 = 7,195 von 20,101	38.71 = 1,983 von 5,122	31.08 = 46,736 von 150,377
2011	38.45= 7,848 von 20,411	41.03 = 2,152 von 5,246	32.04 = 49,872 von 155,679

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Statistics

Women jurists in law faculties

	Law professors C3/C4 Meanwhile W 2/3 %	Qualification positions %	Assistants %
1982	1.1	15.4	18.5
1990	2.1	14.4	27.4
2004	10.2 (C 4: 8)	23.1	41.4
2008	13.7 Other subjects 16.2	25.5	42.9
2010	14.7 C 4/W 3: 9.5		

2008: W2 and W3 not shown separately

2010: C 4/W 3: 749, 678 m, 71 f

incl. C 3/W 2 :1.097, 936 m, 90 f (incl. FH Prof.)

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Relevance of research

- Law one of „tres artes“, classical subject like theology and philosophy (medicine)
 - *Faust: Habe nun, ach! Philosophie, Juristerei und Medizin, Und leider auch Theologie durchaus studiert, mit heißem Bemühn. Da steh ich nun, ich armer Tor !*
- Most frequently chosen subject besides economics/business studies
- Qualification for leading positions (lawyers ‘ monopoly)
- So far no empirical research on the subject (only in the 70s on – male – law professors)

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Why are there so few women in the legal academy? Historical exclusion

Arguments: Women are

- too emotional
- too „good“
- unwanted competitors in bourgeois male breadwinner model

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Why are there so few women in the legal academy? Causes of underrepresentation today

- **Individual barriers**

- Less competencies and qualifications?
- Lower career ambition?
- Sticking to traditional gender roles?
- Higher subject matter orientation
men stronger career/positional orientation/motivation

- **Structural barriers**

- Gender stereotypes: Miss Tiffy
- Male Gatekeeping: position/place allocation – hierarchy/power struggles
- Hegemonic masculinity
- Horizontal segregation (women ‘s corners – male turfs)
- Symbolic masculinity
- Optical illusions

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I 've been looking for
someone just like you



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Structural barrier: subject/faculty culture

- Traditional faculty culture with classical rules
importance of habilitation
- Social reproduction
- Predominant /characteristic informal codes
- Authoritarian discipline with dominance
attitudes
- Charismatic (male) teaching culture / habitus
- Identity endowing exams, initiation rituals

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Are women the others? Better? Do they change the subject - and teaching culture?

- Less authoritarian and arrogant?
- Orientation towards abstract / general principles (dogmatism) v. real life orientation?
- Higher investment in teaching?
Methodologically more illustrative? Better support for students?
- Gender subjects in teaching?

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More „hands-on“?



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The price for a career

- Cinderella's glass slippers
- Adaptation to male habitus / male standards
- Overfulfilling of norms, exceeding expectations
- Limited femininity
- Compensatory: demonstrative femininity
- Denying desire for family and leisure
- No children

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Situation of women in the legal academy

living conditions – who gets on the career track?

- Socio- cultural factors
daughters and wives
- Family status
 - No children
 - divorced
 - Living alone
- Typology: body beautiful, dutiful daughter, adoring acolyte
- Sponsors: special protection and advancement

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Project aims

- To get a differentiated and detailed insight into the situation of female law professors,
- To systematically capture the specific causes for underrepresentation of women in senior academic positions,
- To define particular career obstacles and aids,
- To describe factors constituting the faculty culture,
- To deal with the existing EO structures and institutions and their impact

In order to identify:

Factors which could enhance the organisational structure and culture in law faculties
Measures of efficient career support for women.

Overall the results should lead to a catalogue of recommended procedures so as to strengthen the potential of female academics.

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Research methods

- Quantitative methods – vertical and horizontal segregation in the field
- Qualitative methods (grounded theory / qualitative content analysis)
 - Actor level (academic staff, drop outs, female pioneers) – narrative interviews
 - Organisation ‘s viewpoint (deans, EO officers, heads of universities) – expert interviews
 - Faculty culture – text analysis of documents and websites
- Advancement tools and procedures
 - Analysis of regulations
 - Comparison to regulations in other fields (public sector, economy)

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Data on cultural aspects

- Teaching material
 - Reconstruction of gender stereotypes in typical law teaching books and their changes over time (images of femininity and equality concepts)
- Obituaries, laudationes, liber amicorum (anniversary collection)
 - character traits, qualities etc. emphasized
 - developing the law professor male prototype
- Women in the (legal) academy in fiction and romance
- Pedigrees
- Diaries (including a follow-up interview)
 - time management
 - kind of work considered relevant and legitimate (considering career ambition)
- Websites
 - Information and presentation
- Publications
 - Male and Female participation on the publication market

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Research plan

Work package	<i>methods</i>
1. WP state of the art	Analysis of literature on women in the academy
2. WP statistics	Collection and interpretation of existing statistics: federal, state, internal of universities
3. WP legal education	Analysis of literature about legal education
4. WP exemplary biographies	Narrative interviews with law professors and junior researchers, male and female
5. WP biographies pioneers	Narrative interviews
6. WP university system	Expert interviews mit deans and EO officers
7. WP images of femininity	Analysis of images of women in legal teaching literature (role models, concepts of equality)
8. WP equality legislature and rules	Analysis of equal opportunities legislation, rules and measure of the three federal states and the included universities
9. WP measures	Proposals for career advancement (promotion of young researchers, recruitment procedures, encouragement and support measures)

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