Men and Women of Elite Law Firms: Reevaluating Kanter's Legacy

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This paper tests the effects of minority partner representation on minority associate representation in a sample of 97 law firms from 1980 to1990. We perform separate analyses for women, African Americans, Hispanics, and Asian Americans, and we consider both within-group and cross-group effects. We find that minority partner representation has a positive effect on minority associate representation, which is statistically significant in the case of women and Asian Americans. Our findings are consistent with lawyers' own accounts, which emphasize the impact of partner composition on the distribution of rewards within law firms. We also show how our findings clarify previous studies about the effects of minority representation on the distribution of organizational rewards, focusing particularly on Kanter's work and subsequent related research.

Most arguments in favor of numerical guidelines in hiring and job placement limit their effectiveness by making only part of the case. They say that . . . numbers hired serve as a shorthand for non-discrimination in selection. However, there is also a strong case that can be made for number-balancing as a worthwhile goal in itself, because, inside the organization, relative numbers can play a large part in further outcomes.

—Rosabeth Moss Kanter, *Men and Women of the Corporation*

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Kanter's theory of relative numbers continues to animate sociological and legal claims about the benefits of increased minority representation as a redistributive mechanism within predominantly white male work organizations (see, e.g., Chamallas 1990, 1994; Schultz 1990, 1998; Baron 1994; Dressel, Hartfield, and Gooley 1994; Guinier, Fine, and Balin 1994; Ely 1995; Morris 1996; Wilkins and Gulati 1996; Abrams 1998). However, empirical support for Kanter's "redistributive" hypothesis is mixed (Tolbert et al. 1995), owing in part to theoretical and methodological inconsistencies in the research.

This paper tests Kanter's redistributive hypothesis in a sample of elite law firms. We examine whether the gender or race composition of law partners affects the gender or race composition of associates hired by the firm. Do law firms with more female partners hire more women? Do law firms with more African American partners hire more African Americans? Do the members of one minority group benefit from the increased representation of other groups?

Our analysis is based on annual employment data for a sample of 97 firms, 1980–1990. In an effort to reconcile previous mixed results, we focus on the effects of minority representation among partners, rather than representation among all lawyers in the firm; and we examine both within-group and cross-group effects.

KANTER'S THEORY OF RELATIVE NUMBERS

In her classic case study, *Men and Women of the Corporation* (1977), Kanter argues that women's success in traditionally male jobs depends significantly on their relative numerical representation within the workplace. Kanter's research indicates that "token" women in predominantly male workplaces suffer interactional disadvantages, such as isolation and increased performance pressure, as a result of their proportional rarity.[1] Kanter also finds that token women face special barriers to advancement, especially in upper-level jobs, where social similarity is an important advancement criterion.[2] According to Kanter, the disadvantages of token status are not limited to women, but affect any extreme minority in an otherwise homogenous social group: "Any situation where proportions of significant types of people are highly skewed can produce similar themes and processes. It was

1. "The proportional rarity of tokens is associated with three perceptual tendencies: visibility; contrast; and assimilation. . . . Visibility tends to create performance pressures. . . . Contrast leads to a heightening of dominant group boundaries, including isolation of the token. And assimilation results in the token's role encapsulation" (Kanter 1977, 210, 212).

2. "Forces stemming from organizational situations help foster social homogeneity as a selection criterion for managers. . . . Concerned about giving up control and broadening discretion in the organization, managers choose others that can be trusted. And thus they reproduce themselves in kind" (Kanter 1977, 68).

rarity and scarcity, rather than femaleness per se, that shaped the environments of the (token) women" (1977, 207).

By the same logic, Kanter and others (Martin 1980; Bartholet 1982; Gutek and Morasch 1982; Rustad 1982; Schultz 1990; Morris 1996) have argued that as the relative number of women and other minorities increases within predominantly white male workplaces, the disadvantages of tokenism will be alleviated, and minority[3] advancement opportunities will be enhanced.[4] Kanter predicts that increased minority representation will improve majority-minority interaction, increase minority access to peer networks and informal sponsorship, and decrease employers' reliance on ascriptive criteria for advancement (1977, 206–42). As a result, Kanter argues, changing the composition of the workplace will change the way in which organizational rewards are distributed. We refer to this as the "redistributive hypothesis":

> To argue for the importance of numbers smacks of advocacy of quotas, and many Americans object to quotas. . . . Yet it seems clear that numbers, especially relative numbers, can strongly affect a person's fate in an organization. This is a system rather than an individual construct—located not in the characteristics of the person, but in how many people, like that person in significant ways, are also present. (Kanter 1977, 241)

A Review of the Research

Although Kanter's work has proved extremely influential in both sociological and legal scholarship, empirical support for her theory of relative numbers is mixed. For instance, subsequent research tends to confirm Kanter's findings about the disadvantages of token status for women (Martin 1980; Nieva and Gutek 1981; Rustad 1982; Yoder, Adams, and Prince 1983) and people of color (Dworkin, Chafetz, and Dworkin 1983), but not for white men (Alexander and Thoits 1985; Zimmer 1986). These studies suggest that the effects of token status may vary across demographic groups (Zimmer 1988; Yoder 1991; Tolbert et al. 1995), rather than being group-neutral, as Kanter asserts.

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3. We use the term *minority* in the sense that Kanter uses it, to refer to a numerically underrepresented group within a particular organizational context (rather than to refer to members of "minority" racial groups).

4. For instance, Martin (1980, 212) writes, a "substantial increase in the number of female police officers . . . would reduce the isolation and effects of tokenism, and probably would improve women's position in the power structure of the department, as well as increase their opportunities." See also Tolbert et al. 1995, 563–64 (linking Kanter's approach to social contract theory, which asserts that social prejudice is most likely to flourish when cross-group interactions are low).

Further, whatever disadvantages tokens suffer, it is not clear that increased representation provides the cure. Some research does suggest that increased minority representation improves majority-minority interaction. In a study of two law schools, for instance, Spangler, Gordon, and Pipkin (1978) found that female students spoke more in class and got better grades in the school with a higher proportion of female students. In a study of labor union committees in Israel, Izraeli (1983) found that women felt less constrained and more personally influential on committees with a higher proportion of female members. Likewise, in a study of eight law firms, Ely (1995, 589) found that "sex roles are more stereotypical and more problematic in firms with relatively low proportions of senior women." According to Ely, women's representation among partners affects both male and female constructions of women's gender identity at work (1995, 625–27).

In a study of six law schools, on the other hand, Katz (1980) found that women's representation among law students had no significant effect on women's class participation. South et al. (1982) also found no significant interactional differences, in their study of six government offices ranging from highly skewed male to highly skewed female. And studies of steel companies (Deaux and Ullman 1983) and automobile manufacturers (Gruber and Bjorn 1982) found that as the proportion of women increased, men's opposition to them also increased (see also Harlan and Weiss 1981; Tsui, Egan, and O'Reilly 1992).

Some research also suggests that increased minority representation positively affects minority achievement levels. For instance, like Spangler et al. (1978), Alexander and Thoits (1985) found that the proportion of female students in academic departments was positively related to women's grade point average. Lutjens (1988) found that the proportion of women faculty in academic departments was positively related to publication rates for female assistant professors. Chused (1988) found that the proportion of tenured women on law school faculties was positively related to tenure rates for female assistant professors, and negatively related to female attrition rates. And Hammond (1990) found that the number of African American partners in public accounting firms was positively related to the recruitment and hiring of African American accountants.

In a study of women in criminal justice departments, however, McElrath (1989) found that the proportion of female faculty had no effect on women's publication rates, time to tenure, or salary levels. Moreover, Tolbert et al. (1995) found that as the proportion of women in academic departments grew, women's attrition rate tended to increase. And Toren and Kraus (1987) found that academic women in male-dominated disciplines, such as the hard sciences, do better in terms of rank, promotion, and tenure than academic women in the humanities, where women have greater representation.

These mixed results have led some writers to reject Kanter's theoretical approach (Blum and Smith 1988; Zimmer 1988; Yoder 1991). After reviewing the literature on tokenism, for instance, Zimmer concludes that the concept "is of limited value in explaining the experiences of either men or women" (1988, 64). According to Zimmer, the main problem with Kanter's theory is that it fails to take into account broader social and cultural forces, such as sexism: "Tokenism alone, without attention to sexism, offers little insight into the organizational behavior of women. . . . (I)t does not seem that scarcity alone explains the reaction of men to women co-workers; nor is there any evidence to suggest that women's occupational problems can be alleviated by achieving numerical equality" (1988, 72).

Critics also point to research about the effects of occupational segregation, which finds that "high percentage female" and "high percentage minority" tend to be *negatively* related to occupational prestige (Touhey 1974; Bose and Rossi 1983), occupational wage (Hodson and England 1986; England et al. 1988), and prescribed salary levels for particular positions (Pfeffer and Davis-Blake 1987; Baron and Newman 1990). Critics argue that such findings invalidate Kanter's theory about the benefits of increased minority representation in majority work organizations (Pfeffer and Davis-Blake 1987).

Inconsistencies in the Research

These rejections of Kanter's theory are premature. Many of the studies discussed above are based on a small number of organizations, making generalization difficult, and the data come from a wide variety of organizational settings (law schools, steel companies, government offices), which complicates comparison across studies. Moreover, most studies rely on cross-sectional data, which makes causality difficult to ascertain (Ely 1995, 627).

In addition, different studies measure different outcomes. Some studies focus on how increased minority representation affects internal, organizational outcomes (such as majority-minority interaction, and minority achievement levels), whereas others focus on how increased representation affects external, environmental outcomes (such as occupational prestige or wage rates).

Most important, previous studies vary considerably in how they measure "minority representation." One issue concerns who counts as a minority. Kanter defines minority in relative terms: a *minority* is a numerically underrepresented group, relative to a particular organizational context.[5] For

5. Kanter distinguishes between four levels of minority representation (0, 0–15%, 15–35%, and 40–50%), and four corresponding group types within organizations (*uniform*, *skewed*, *tilted*, and *balanced*). She uses the term *token* to refer to minorities in a skewed group—that is, groups with 15% or fewer minorities (1977, 208–9).

Kanter, women were the group of interest because they were a minority in the organization she studied, not because they are a dispossessed group.

Like Kanter's own work, most subsequent research has focused on women. However, some findings considered most damaging for Kanter's theory (such as findings about the effects of occupational segregation) come from studies of women's experiences in female-*dominated* organizations, or studies comparing women's experiences in male-dominated versus female-dominated organizations (e.g., South et al. 1982). Studies in which women are the majority group are not a fair test of Kanter's hypothesis about the benefits of increased *minority* representation.

A second issue concerns the definition of representation. Even among studies that define minority in relative terms—that is, relative to a particular organizational context—there are important differences in the way *representation* is defined. Some studies measure minority representation within the organization as a whole, regardless of hierarchical position (South et al. 1982; Alexander and Thoits 1985; McElrath 1989). Others measure minority representation in upper-level positions (Chused 1988; Hammond 1990; Ely 1995).

These theoretical and methodological inconsistencies make any assessment of Kanter's theory premature. This is especially true for Kanter's "redistributive" hypothesis: among the studies discussed above, only four actually address the effects of increased minority representation on the distribution of organizational rewards, such as entry (Hammond 1990) and promotion (Toren and Kraus 1987; Chused 1988; McElrath 1989). Among these four, two measure minority representation at the organizational level (Toren and Kraus 1987; McElrath 1989), and neither finds any redistributive effect. The other two measure minority representation in upper-level jobs (Chused 1988; Hammond 1990), and both find a redistributive effect (see also Ely 1995, 590).

RESEARCH SETTING

We test Kanter's redistributive hypothesis in a sample of elite law firms. *Elite law firms* are large, urban law firms that serve large national and multinational corporations. Such law firms dominate the market for private legal services in the United States (Nelson 1988; Sander and Williams 1989; Galanter and Palay 1990; Chambliss 1997), as well as the process of professional socialization at elite law schools (Kennedy 1982; Granfield 1992). Students at highly ranked law schools compete fiercely for entry opportunities before and after graduation (Turow 1978, 89–96; Wilkins and Gulati 1996).

Recent (and ongoing) demographic changes make elite law firms an appropriate arena for testing Kanter's redistributive hypothesis.

Traditionally, entry into elite law firms was restricted to white Protestant men who graduated from prestigious law schools such as Harvard, Columbia, and Yale.[6] As late as 1969, women and people of color were almost completely excluded (Smigel 1969; Epstein 1981; Abel 1989).

Over the past 20 years, however, the demographic composition of elite law firms has changed considerably at the entry (associate) level. A 1981 survey of the nation's leading law firms found that 24% of all associates were women (Jensen 1990),[7] and in 1997, over 40% of all associates were women.[8] The level of racial diversity is much lower; however, it too has increased. In 1997, 11% of all associates in elite law firms were African American, Hispanic, or Asian American (National Association for Law Placement 1998).

At the partnership level, elite law firms are still predominantly male, and almost exclusively white. In 1997, 86% of all partners were male, and 97% were white (National Association for Law Placement 1998). However, at both the associate and partnership levels, firms vary significantly. In 1989, the representation of female partners in the nation's largest 251 firms varied from 1 to 20%, and the representation of partners of color varied from 0 to 27% (Jensen 1990). Variation in the level of law firm integration persists even among firms in the same city (Chambliss 1998, 5–6). A 1997 survey of 12 San Francisco firms found that the representation of partners of color varied from 11 to 28% (Ward 1998).

Anecdotal evidence from lawyers suggests that the level of minority representation among partners affects the distribution of opportunities within law firms, particularly the distribution of attention and training, which typically occurs through informal mentoring (Wilkins and Gulati 1996, 565; Chambliss 1997, 693). As one minority lawyer observes, "I think [partners] like mentoring people who look like them. It's not intentional. In the elevators you can always get greeted, but as to whether you truly get looked after . . . [that] is a totally different question" (Segal 1998, 1).[9]

Minority representation among partners also may play an important role in the distribution of entry-level jobs. Although entry into elite law firms for the most part is limited to the graduates of top schools, within this pool, jobs are allocated substantially according to criteria such as "personality" and "fit" (Wilkins and Gulati 1996, 548). According to Kanter, it is precisely such criteria that should be influenced by increased minority

6. In 1962, over 70% of the lawyers in New York's leading law firms graduated from Harvard, Columbia, or Yale; 30% were listed in the Social Register (Smigel 1969, 39). Heinz and Laumann report similar patterns for Chicago (1982, 182).

7. The survey covered the largest 151 firms in the nation.

8. The 1997 figures are based on a National Association for Law Placement survey of 500 law firms in 8 states.

9. Quoting Helen Ho, an Asian American lawyer at Soble & Associates in Washington, D.C. See also Multicultural Women Attorneys' Network 1994, 31(discussing the importance of social similarity as an advancement criterion in large law firms).

representation in the firm: "Organizations with a better balance of people would be more tolerant of differences among them. In addition to making affirmative action a reality, there would be . . . a reduction in stress on people who are 'different,' [and] a reduction in conformity pressures on the dominant group" (1977, 283).

RESEARCH QUESTIONS

In the following sections, we examine whether the level of minority representation among partners affects the distribution of entry opportunities among associates. We first examine group-specific effects. For example, do law firms with more female partners hire more women? Do law firms with more African American partners hire more African Americans? Are the effects of increased partner representation the same for different minority groups?

We then examine whether lawyers from one minority group benefit from the increased representation of other groups. For instance, do law firms with more African American partners hire more women? Can overall diversity among partners explain the distribution of entry opportunities to minorities?

DATA AND METHODS

Our analysis is based on annual employment data for a sample of 97 elite law firms from 1980 to 1990. These data are drawn primarily from the *Directory of Legal Employers*, published each year by the National Association for Law Placement. The *Directory* covers over 1,150 legal employers, including private law firms, public interest organizations, government employers, and corporations. Employers submit entries each spring, and each entry provides descriptive information about the type of employer, the nature of the practice, and the size, structure, and demographic composition of the workplace.

The population from which our sample was drawn consists of all the private law firms listed in the *Directory* from 1980 through 1990, whose principal location is Chicago, Los Angeles, New York City, or Washington D.C. (N = 540).[10] Within each city, firms were selected as *elite* on the basis of starting salary for associates. Starting salaries were measured at three time

10. For sampling purposes, each firm was assigned one principal location: the location of the firm headquarters when the firm makes such a designation, or the location of the oldest or largest office when no headquarters is designated. Thus, a New York–based firm with offices in Los Angeles and Washington would be counted only once, as a New York firm. In most cases where the firm names a headquarters, the headquarters is also the oldest and largest office.

points (1981, 1985, and 1990), and the top-paying firms in each city were identified (n = 161).[11] Top-paying firms with fewer than 6 entries over the 11-year period were dropped (n = 56), as were 8 specialty firms.[12] The final sample covers 97 firms: 19 in Chicago, 22 in Los Angeles, 39 in New York City, and 17 in Washington, D.C.[13]

We sampled on the basis of location and starting salary[14] to minimize unmeasured variation in the firms' labor supply at the entry level. It is impossible to measure directly the relative qualifications of law firm applicants, or the pool of potential applicants for any given firm. However, law firm recruitment is highly competitive. In most large cities, a cluster of top-paying firms has entry-level salaries that move together over time. Therefore, we assume that within a given city, the top-paying firms operate within the same external labor market.[15]

Measurement of Dependent Variables

The primary dependent variable in our analysis is the level of minority representation among associates. However, we perform separate analyses for female, African American, Hispanic, and Asian American lawyers.[16] Thus, for each firm, for each year, we calculate the proportion of associates who are women, the proportion of associates who are African American, the proportion of associates who are Hispanic, and the proportion of associates who are Asian American. Each group's "associate share" is measured by the

11. We calculated median salaries for each city for each time point. Firms were selected if the starting salary was at or above the median at all three time points; if the starting salary was at or above the median at two time points and not reported at the other time point; or if the combined salary for all three time points was above the combined median for the city. These criteria yielded roughly the top-paying 30% of all firms in the population.

12. *Specialty* (or *boutique*) *firms* are firms offering legal services in one primary area of law (such as tax or patent law). Specialty firms were dropped from the sample because initial examination revealed that they tend to recruit from a different external labor supply than the other, general practice firms in the sample.

13. Most of the larger firms in our population could be characterized as elite firms, in that they primarily represent elite clients, such as large corporations. Our sample is therefore underinclusive of "elite" firms in these cities.

14. Size serves as the most common benchmark for identifying elite law firms (see, e.g., Nelson 1988; Galanter and Palay 1990). However, the firms selected on the basis of salary also are among the nation's largest. Seventy-six percent (74) of the firms in our sample ranked among the 251 largest law firms in 1989.

15. Since most elite law firms recruit nationally as well as regionally, the relevant labor market is partly a national one. To the extent that the elite-firm labor market is a national one, however, it is dominated by the four cities in our sample. In 1980, these four cites had the largest lawyer populations, private practice populations, and total law firm populations in the country (Curran 1985).

16. We directed our analysis to these four groups because these are categories used in the *Directory*. Unfortunately, the data do not allow us to examine the interaction between gender and race, because raw figures for law firm composition are not broken down by gender within racial categories. Data for the legal profession as a whole indicate that a higher proportion of minority than white lawyers are women—31 versus 13% (Abel 1989, 102).

number of associates in that group, divided by the total number of associates in the firm.

Measurement of Independent Variables

The primary independent variables in the analysis are each group's level of representation among partners. All independent variables are measured with a one-year lag, so that they reflect the level of partner representation during the previous, baseline year.

We first estimate the group-specific effects of increased minority partner representation. The independent variables in this part of the analysis are each group's partner representation during the previous year. For instance, the independent variable for women would be the proportion of female partners during the previous year; the independent variable for African Americans would be the proportion of African American partners during the previous year; and so on.

We then estimate the effects of overall partner diversity. The independent variables in this part of the analysis are the proportion of (1) female partners and male nonwhite partners (i.e., all partners except white males)[17] during the previous year and (2) nonwhite partners (i.e., all partners except white females and white males) during the previous year. For the diversity analyses, we use the same independent variables for all four minority groups.

Control Variables

To test the effects of increased partner representation, we control for variations in the external labor supply stemming from changes in law school enrollment[18] and variations in firm location.[19] We also control for other organizational characteristics that affect the rate of law firm integration (Chambliss 1997), such as firm size and number of associates.

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17. The proportion of "female partners and male nonwhite partners" was measured by aggregating the number of female, African American, Hispanic, and Asian American partners, and dividing by the total number of partners. Because some partners of color may also be female, this measure may slightly exaggerate the level of diversity among partners. The proportion of "nonwhite" partners was measured by aggregating the number of African American, Hispanic, and Asian American partners, and dividing by the total number of partners.

18. Gender and racial diversity among law students increased substantially during the time period under study. To control for increasing diversity within the external labor supply, we control for each group's proportional enrollment in American Bar Association–approved law schools. Annual enrollment data come from *A Review of Legal Education in the United States*, published by the American Bar Association Commission on Legal Education.

19. We include dummy variables for Chicago, Los Angeles, and Washington, D.C.; New York City is the excluded category.

Descriptive Statistics

Table 1 provides descriptive statistics for all variables. These summary statistics obscure the fact that minority representation in law firms was increasing during the period under study, as shown in figures 1–4. From 1980 to 1990, the proportion of female associates in the sample increased from 24 to 39%, and the proportion of female partners increased from 3 to 11%. Figure 2 shows a similar upward trend for African American associates and partners, although the base percentages are much lower, and the number of associates was unstable after a sharp peak in 1986. Figures 3 and 4 show the proportional share of Hispanic and Asian American attorneys. For each of the four groups, increases in partner representation roughly parallel increases in associate representation.[20]

TABLE 1
Descriptive Statistics (1980-90)

Firm Characteristics	Mean[1]
Associate share	
Female	32.57%
African American	2.40%
Hispanic	1.12%
Asian American	1.67%
Partner share (lagged 1 year)	
Female	6.02%
African American	.58%
Hispanic	.42%
Asian American	.33%
Total female partners and male nonwhite partners	7.35%
Total nonwhite partners	1.33%
Enrollment share	
Female	40.02%
African American	5.12%
Hispanic	3.25%
Asian American	2.15%
Firm size	153.16
	(90.50)
Number of associates	94.57
	(66.64)
Location	
Chicago	19.59%
Los Angeles	22.68%
Washington, D.C.	17.53%
New York	40.21%

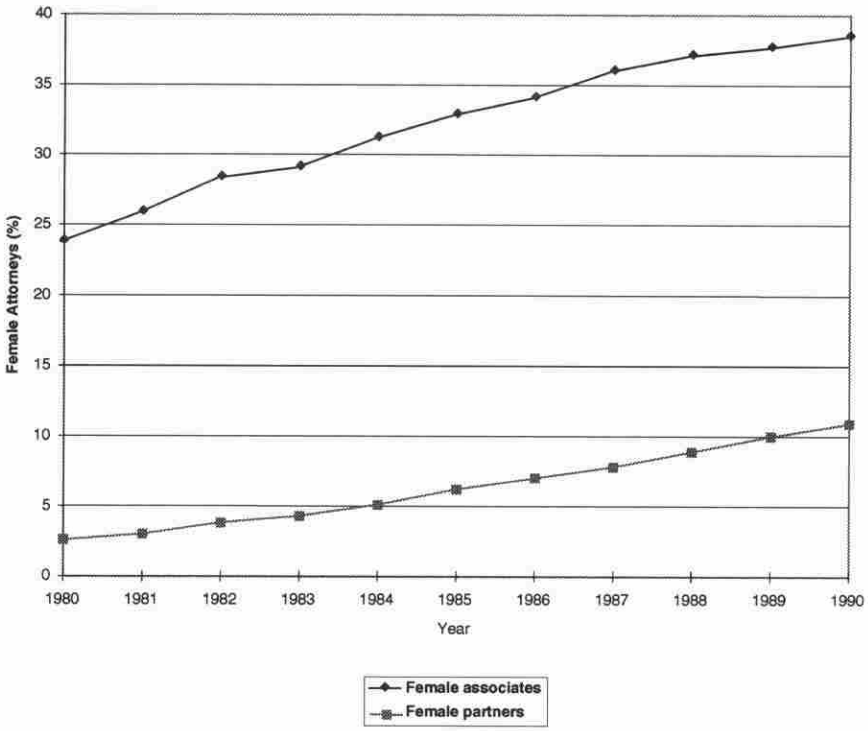
[1] Standard deviations for continuous variables appear in parentheses.

20. The level of minority representation in the sample firms tracks minority representation in the nation's largest law firms during the same time period. In 1989, female representa-

Estimation

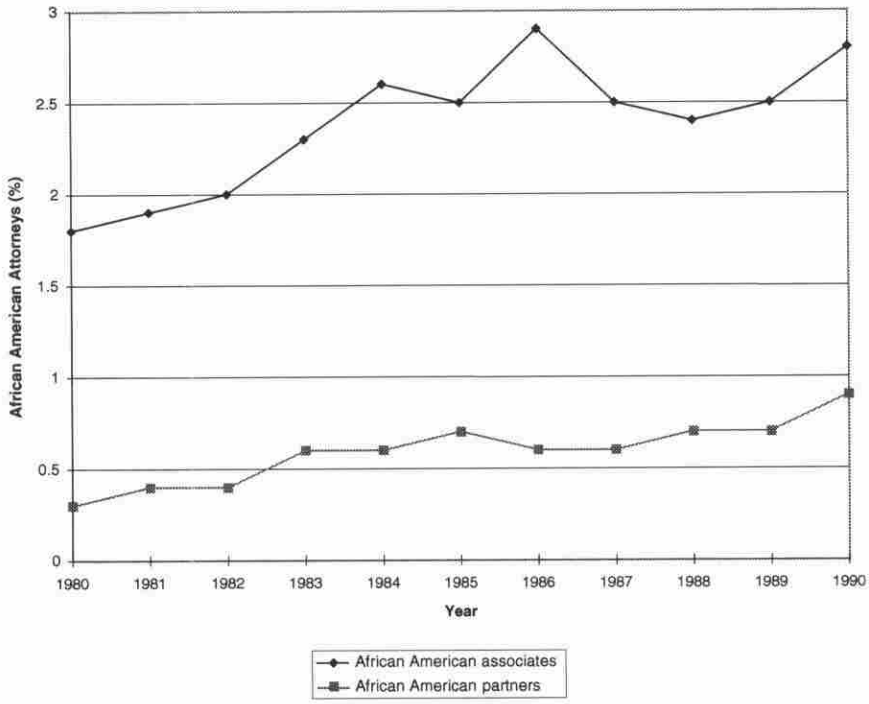
Figures 1–4 suggest that partner share tends to vary with associate share, but tell us little about whether this association is causal. The underlying characteristic of the firm that causes it to have a higher proportion of minority partners also may cause it to have a higher proportion of minority associates. For example, if firms with Pacific Rim offices tend to have more Asian American partners *and* more Asian American associates (see Chambliss 1997, 735), then this unobserved heterogeneity may be responsible for the positive association between Asian American partner share and Asian American associate share.

FIGURE 1
Percentage of Female Attorneys by Year



tion among partners was 9.9% in the sample firms (compared to 9.2% in the nation's largest 251 firms); African American representation among partners was 0.7% in the sample firms (compared to 0.9% in the largest 251 firms); Hispanic representation among partners was 0.5% in both the sample firms and the largest 251 firms; and Asian American representation among partners was 0.6% in the sample firms (compared to 0.5% in the largest 251 firms). See *National Law Journal*, 19 February 1990 (reporting the results of a 1989 survey of the nation's largest 251 law firms).

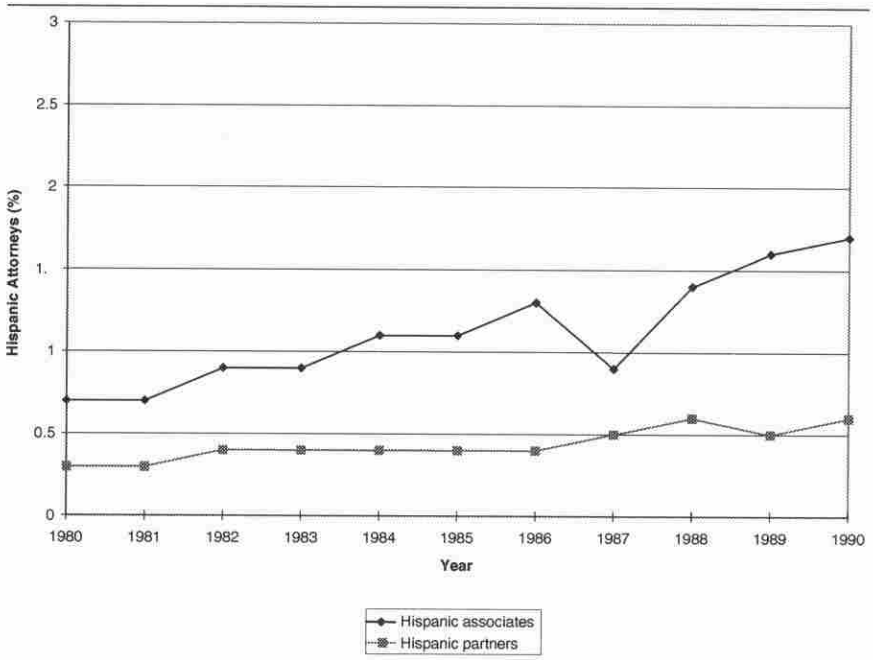
FIGURE 2
Percentage of African American Attorneys by Year



We address this potential problem by estimating a series of pooled time-series models intended to isolate partner effects from measured and unmeasured firm characteristics. The pooled time-series approach allows us to examine across-firm variations in minority representation as well as within-firm variation over time. Because the data are pooled, however, each firm contributes up to 11 firm-year observations, and many assumptions of standard linear regression models are easily violated (see, e.g., Sayrs 1989). In testing Kanter, we are particularly concerned with unobserved heterogeneity, which may cause each firm's residual error terms to be correlated over time, and with reciprocal causation between a firm's partner representation and its associate representation.

We first present ordinary least squares (OLS) regression models that do not control for baseline associate share, and "static score" or "conditional change" models (Plewis 1985; Finkel 1995) that adjust estimates of partner effects for baseline associate levels. These models illustrate the effects of factors that do not vary across years, such as firm location, and factors that do not vary across firms, such as the gender and race composition of law students. These initial models take this form:

FIGURE 3
Percentage of Hispanic Attorneys by Year



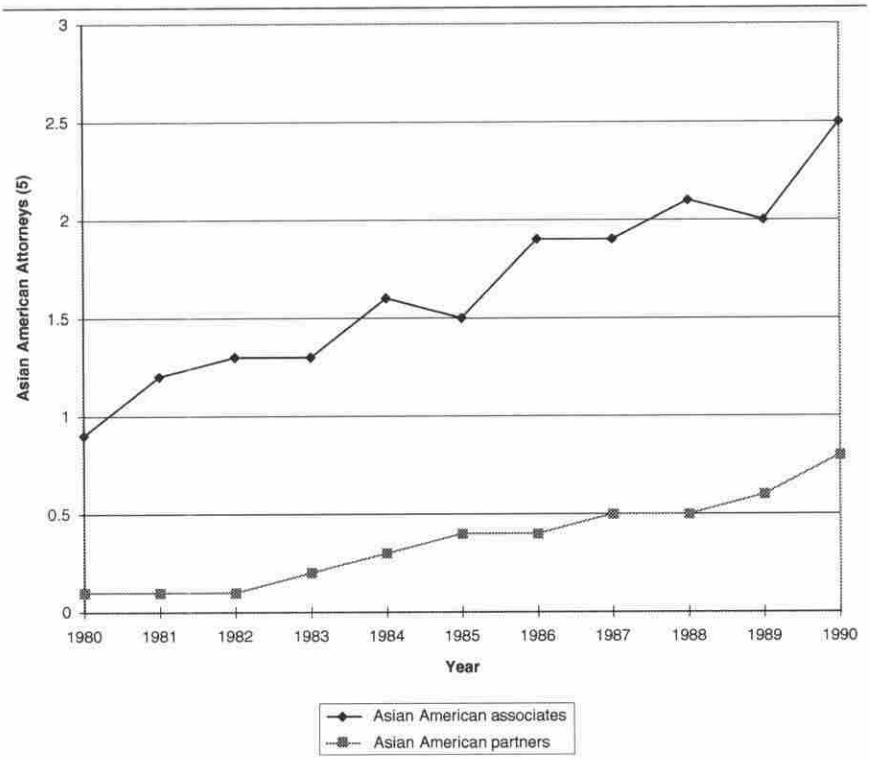
$$AS_{fy} = \alpha + b_1PS_{fy-1} + b_2AS_{fy-1} + b_3TS_{fy-1} + b_4TA_{fy-1} + b_5ES_{y-1} + b_6CH + b_7LA + b_8DC + \varepsilon_{fy}$$

Where:

AS_{fy} is the associate share for firm f in year y.
PS_{fy-1} is the partner share for firm f in year y-1.
AS_{fy-1} is the associate share for firm f in year y-1.
TS_{fy-1} is the total size of firm f in year y-1, or the number of attorneys.
TA_{fy-1} is the total number of associates in firm f in year y-1.
ES_{y-1} is the group's law-school enrollment share in year y-1.
CH is an indicator for Chicago (v. New York).
LA is an indicator for Los Angeles (v. New York).
DC is an indicator for Washington, D.C. (v. New York).
ε_{fy} is a disturbance term.

The OLS models show the pattern of association between associate share and partner share net of the measured covariates. To adequately control for omitted factors that may lead to autocorrelated disturbances, however, we also estimate first difference or change models. The difference models correct for omitted variable bias to the extent that the relevant unobservables are firm-specific and fixed over time. That is, they control for

FIGURE 4
Percentage of Asian American Attorneys by Year



the effects of unmeasured firm characteristics, such as areas of specialization or hiring practices, that may remain stable from year to year. For this reason, fixed characteristics such as firm location must be excluded from the difference models. The firm fixed effect (α_f) thus drops out of the equation (Finkel 1995; Waldfogel 1997). The dependent variable in this specification is the difference between a group's associate share within a firm and that group's share during the previous year. Each of the independent variables are expressed as differences as well:

$$\Delta AS_{fy,y\text{-}1} = b_1\Delta PS_{fy\text{-}1,y\text{-}2} + b_2\Delta AS_{fy\text{-}1,y\text{-}2} + b_3\Delta TS_{fy\text{-}1,y\text{-}2} + b_4\Delta TA_{fy\text{-}1,y\text{-}2} + \Delta\alpha_f + \Delta\varepsilon_{fy,y\text{-}1}$$

Where:

$\Delta AS_{fy,1}$ is the change in associate share for firm *f* from year *y-1* to year *y*.

$\Delta PS_{fy1,2}$ is the change in partner share for firm *f* from year *y-2* to year *y-1*.

ΔTS is the change in total size of firm *f* from year *y-2* to year *y-1*.

ΔTA is the change in number of associates in firm f from year y-2 to year y-1.
$\Delta\alpha_f$ is the individual fixed effect.
$\Delta\varepsilon_{fy,y-1}$ is a disturbance term.

It is common to adjust for unobserved heterogeneity in pooled time-series analysis by using a fixed-effects model in which each variable is expressed as a deviation from its mean value (Waldfogel 1997). Unfortunately, fixed effects models are inappropriate for testing Kanter's hypothesis because of the reciprocal relationship between partner share and associate share: the level of the dependent variable (associate share) in prior years affects present levels of the independent variable (partner share), violating the assumption of "strict exogeneity" (Keane and Runkel 1992; Johnson 1994, 1071). Since firms tend to promote from within, the proportion of female partners, for example, is at least partially determined by the proportion of female associates in the firm. We wish to estimate the effects of partner share at year y-1 on associate share at year y. The percentage of partners at year y-1, however, is to some extent determined by the associate share at year y-2.

Because associate share is not exogenously determined, even the first difference models may provide inconsistent estimators. The problem arises because growth in associate share between year y-2 and year y-1 ($\Delta AS_{fy-1,y-2}$) is likely to be correlated with the disturbance term ($\Delta\varepsilon_{fy,y-1}$) in the equation predicting the growth in associate share between years y-1 and y (Keane and Runkel 1992). To address this problem, we use instrumental variables that are uncorrelated with the disturbance to estimate the growth in associate share between years y-2 and y-1.

We use a two-stage least squares (2SLS) procedure, whereby the growth in associate share between years y-2 and y-1 is estimated in a first-stage equation. In the second stage, we estimate the difference model above, substituting the instrument for past levels of associate growth. The instrument list includes the exogenous variables from prior equations, the lagged partner growth between years y-2 and y-1, and the associate share in year y-2. The associate share in year y-2 is an appropriate instrument because it is predetermined and uncorrelated with the disturbance term $\Delta\varepsilon_{fy,y-1}$ or ($\varepsilon_{fy} - \varepsilon_{fy-1}$).

Thus, we present six models for each minority group: (1) an OLS regression of associate share on partner share and the control variables; (2) a static score OLS regression; (3) an OLS first difference model in which each variable is expressed as a change score; (4) a two-stage least-squares (2SLS) first difference model; (5) a 2SLS "diversity" model with the proportion of female partners and male nonwhite partners (that is, all partners excluding white males) as a predictor; and (6) a 2SLS "diversity" model with nonwhite partners as a predictor. There is some loss of efficiency in

the two-stage procedure with lagged endogenous variables, such that this procedure is likely to overstate the standard errors associated with estimated effects (Keane and Runkel 1992; Greene 1997), resulting in more conservative hypothesis tests. Nevertheless, we believe that these models provide the best estimates of the effects of partner representation on associate representation, and the best test of Kanter's hypothesis.

RESULTS

Effects on Female Associate Representation

Table 2 shows the six models for female associate share. In model 1, the coefficient for female partner representation is statistically significant

TABLE 2
Effects of Female Partners and Other Firm Characteristics on Female Associate Share

	OLS1 (1)	OLS2 (2)	OLS Δ DIFF (3)	2SLS Δ DIFF (4)	2SLS Δ DIV1 (5)	2SLS Δ DIV2 (6)
Constant	−.113	.050				
	(.043)	(.031)				
Proportion female partner$_{y-1}$	.485***	.158***	.221**	.219°		
	(.065)	(.048)	(.109)	(.133)		
Proportion female associate$_{y-1}$		.697***	−.094**	.579**	.636**	.776**
		(.025)	(.035)	(.246)	(.258)	(.300)
Proportion female partner and male nonwhite partner$_{y-1}$					.135	
					(.112)	
Proportion nonwhite partner$_{y-1}$						−.055
						(.251)
Firm size$_{y-1}$	.005	.002	.028	−.034	−.037	−.041
(in hundreds)	(.018)	(.013)	(.037)	(.050)	(.052)	(.056)
Total associates$_{y-1}$	−.011	−.003	.004	.065	.069	.072
(in hundreds)	(.025)	(.018)	(.047)	(.062)	(.064)	(.069)
Proportion female law students$_{y-1}$	1.08***	.136°				
	(.115)	(.104)				
Chicago	−.003	−.001				
(v. New York)	(.010)	(.007)				
Los Angeles	−.027***	−.011**				
	(.007)	(.005)				
Washington, D.C.	.027***	.009°				
	(.008)	(.006)				
R-squared	.299	.641	—	—	—	—
Observations	852	852	741	741	739	739

NOTE: Δ indicates a first difference model in which the dependent variable is the difference between the proportion of female associates and the proportion of female associates in the previous year. Each independent variable is expressed as differences as well. Observations are firm years.
° $p < .10$ * $p < .05$ ** $p < .01$ *** $p < .001$ (one-tailed tests)

and positive under the OLS and static score specifications. Relative to New York firms, firms based in Los Angeles were less likely to have a high proportion of female associates, and Washington, D.C. firms were more likely. The proportion of women enrolled in law school is a strong predictor of female associate share in model 1, though its effect diminishes in the static score specification of model 2.

In the OLS first difference specification, model 3, partner share has a strong positive effect on female associate share: each 10% increase in the proportion of female partners increases the proportion of female associates by about 2%. In the two-stage least-squares model 4, the partner effect is stable in magnitude, but its increased standard error results in only a marginally significant effect. (The lagged endogenous variable for associate share switches sign between model 3 and 4 due to the instrumental variables technique.) The "diversity" models 5 and 6, also estimated using the two-stage difference procedure, suggest that female associate share is relatively unaffected by increases in nonwhite partner share. Neither the proportion of female partners and male nonwhite partners nor the proportion of nonwhite partners approaches statistical significance.

Effects on African American Associate Representation

The results for African American associates are shown in table 3. As in the model for female associates, the proportion of African American partners, the proportion of African American law students, and a Washington, D.C., headquarters are positive predictors of African American associate share in models 1 and 2. The partner effect diminishes in the first difference models; however, firms with an increasing proportion of African American partners are no more likely to have an increasing proportion of African American associates than firms without an increasing proportion of African American partners. In model 4, the effect of African American partner growth is positive, though not statistically significant. Diversity in the form of (1) female partners and male nonwhite partners and (2) nonwhite partners does not appear to affect African American associate share in models 5 and 6.

Effects on Hispanic Associate Representation

Table 4 shows the effects of partner representation on Hispanic associate share. Models 1 and 2 show that Los Angeles firms tended to experience the greatest increases in Hispanic representation among associates. Partner representation has a positive effect in model 1, though this effect diminishes in the static score model 2. In the first difference specifications of

TABLE 3
Effects of African American Partners and Other Firm Characteristics on African American Associate Share

	OLS1 (1)	OLS2 (2)	OLS Δ DIFF (3)	2SLS Δ DIFF (4)	2SLS Δ DIV1 (5)	2SLS Δ DIV2 (6)
Constant	−.021	−.015				
	(.015)	(.012)				
Proportion black partner$_{y-1}$	.188**	.127**	−.122	.095		
	(.068)	(.054)	(.110)	(.150)		
Proportion black associates$_{y-1}$		.614***	−.149***	.722***	.763***	.718***
		(.027)	(.038)	(.169)	(.161)	(.166)
Proportion female partner and male nonwhite partner$_{y-1}$					.043	
					(.038)	
Proportion nonwhite partner$_{y-1}$						.034
						(.078)
Firm size$_{y-1}$ (in hundreds)	−.001	−.004	−.005	−.006	−.008	−.006
	(.005)	(.004)	(.012)	(.015)	(.016)	(.015)
Total associates$_{y-1}$ (in hundreds)	.002	.005	−.003	.009	.012	.009
	(.007)	(.005)	(.015)	(.020)	(.020)	(.020)
Proportion black law student$_{y-1}$	.818**	.493**				
	(.310)	(.244)				
Chicago (v. New York)	.004	.003				
	(.003)	(.002)				
Los Angeles	−.001	−.000				
	(.002)	(.002)				
Washington, D.C.	.018***	.004**				
	(.002)	(.002)				
R-squared	.076	.431				
Observations	852	852	740	740	740	740

NOTE: Δ indicates a first difference model in which the dependent variable is the difference between the proportion of African American associates and the proportion of African American associates in the previous year. Each independent variable is expressed as differences as well. Observations are firm years.

* $p < .10$ * $p < .05$ ** $p < .01$ *** $p < .001$ (one-tailed tests)

models 3 and 4, growth in Hispanic partner representation does not affect growth in associate representation. Nor does Hispanic associate representation increase in response to increased partner diversity in models 5 and 6.

Effects on Asian American Associate Representation

Table 5 shows the effects of partner representation on Asian American associate share. As is the case for the each of the other groups, Asian American representation among associates is closely associated with Asian American representation among law students, and with the primary location of the firm. Firms in Los Angeles and firms with a large number of associates were more likely to experience an increase in Asian American

TABLE 4
Effects of Hispanic Partners and Other Firm Characteristics on Hispanic Associate Share

	OLS1 (1)	OLS2 (2)	OLS Δ DIFF (3)	2SLS Δ DIFF (4)	2SLS Δ DIV1 (5)	2SLS Δ DIV2 (6)
Constant	−.012***	−.005				
	(.004)	(.030)				
Proportion Hispanic partner$_{y-1}$	.099**	.037	−.017	.072		
	(.043)	(.036)	(.107)	(.132)		
Proportion Hispanic associate$_{y-1}$		.597***	−.202***	.480**	.516***	.474**
		(.030)	(.036)	(.168)	(.163)	(.165)
Proportion female partner and male nonwhite partner$_{y-1}$					.024	
					(.027)	
Proportion nonwhite partner$_{y-1}$						.016
						(.055)
Firm size$_{y-1}$ (in hundreds)	−.000	−.001	−.000	−.000	−.002	−.001
	(.003)	(.003)	(.009)	(.011)	(.011)	(.011)
Total associates$_{y-1}$ (in hundreds)	−.001	.001	.001	.002	.004	.002
	(.004)	(.004)	(.011)	(.014)	(.014)	(.014)
Proportion Hispanic law student$_{y-1}$	.765***	.347***				
	(.103)	(.110)				
Chicago (v. New York)	−.002	−.000				
	(.002)	(.002)				
Los Angeles	.010***	.005***				
	(.001)	(.001)				
Washington, D.C.	−.005**	−.002*				
	(.002)	(.001)				
R-squared	.162	.426				
Observations	852	852	740	740	740	740

NOTE: Δ indicates a first difference model in which the dependent variable is the difference between the proportion of Hispanic associates and the proportion of Hispanic associates in the previous year. Each independent variable is expressed as differences as well. Observations are firm years.

* $p < .10$ * $p < .05$ ** $p < .01$ *** $p < .001$ (one-tailed tests)

representation among associates. The effect of partner representation is significant in each of the models. For each 10% increase in Asian American partner representation, the proportion of Asian American associates rises by approximately 1.5%. Moreover, diversity model 5 indicates that growth in the proportion of female partners and male nonwhite partners (that is, partners who are not white males) also is associated with growth in Asian American associate representation. The results for model 6 suggest that this effect is driven by nonwhite partners as well as female partners.

TABLE 5
Effects of Asian American Partners and Other Firm Characteristics on Asian American Associate Share

	OLS1 (1)	OLS2 (2)	OLS Δ DIFF (3)	2SLS Δ DIFF (4)	2SLS Δ DIV1 (5)	2SLS Δ DIV2 (6)
Constant	.002	.000				
	(.003)	(.002)				
Proportion Asian partner$_{y-1}$	.253***	.093*	.157**	.153*		
	(.064)	(.050)	(.079)	(.091)		
Proportion Asian associates$_{y-1}$		.649***	−.242***	.332**	.500**	.474***
		(.028)	(.037)	(.158)	(.170)	(.138)
Proportion female partner and male nonwhite partner$_{y-1}$					.124***	
					(.034)	
Proportion nonwhite partner$_{y-1}$						.110°
						(.069)
Firm size$_{y-1}$ (in hundreds)	−.007°	−.005°	.010	−.004	−.015	−.008
	(.005)	(.004)	(.011)	(.013)	(.014)	(.014)
Total associates$_{y-1}$ (in hundreds)	.013*	.008°	−.010	.006	.017	.010
	(.007)	(.005)	(.014)	(.017)	(.018)	(.018)
Proportion Asian law students$_{y-1}$	.572***	.243**				
	(.145)	(.114)				
Chicago (v. New York)	−.000	.001				
	(.003)	(.002)				
Los Angeles	.017***	.007***				
	(.002)	(.002)				
Washington, D.C.	−.007***	−.002°				
	(.002)	(.002)				
R-squared	.219	.526				
Observations	852	852	740	740	740	740

NOTE: Δ indicates a first difference model in which the dependent variable is the difference between the proportion of Asian American associates and the proportion of Asian American associates in the previous year. Each independent variable is expressed as differences as well. Observations are firm years.

° $p < .10$ * $p < .05$ ** $p < .01$ *** $p < .001$ (one-tailed tests)

Summary

Our findings suggest that minority representation among partners positively affects minority associate share within law firms. For each of the groups we analyzed, an initially large partner effect does diminish once unobserved heterogeneity (in the form of stable firm-specific differences) is statistically controlled. Nevertheless, in each of our preferred two-stage least-squares first difference models (model 4 in the tables above), the partner effects are positive in direction and range from .07 to .22 in magnitude. For two of the four groups, women and Asian Americans, these partner effects are statistically significant.

IMPLICATIONS

Our findings provide modest support for Kanter's redistributive hypothesis. The fact that we focused on partner representation rather than overall representation within the firm may help explain why we found positive effects where other, similar studies have not (e.g., McElrath 1989; Toren and Kraus 1987; Tsui et al. 1992). At the same time, our findings suggest the need for further theoretical development as to the *mechanism* of redistribution and the conditions under which it occurs.

The Redistributive Mechanism: Minority Representation or Minority Power?

In predicting the benefits of increased minority representation, Kanter never addressed whether these benefits depend on increased representation in upper-level jobs. Her work emphasizes the overall size of the minority group, rather than minorities' position within the organizational hierarchy. According to Kanter, the primary mechanism of redistribution is "perceptual" change (1977, 210) stemming from "shifting proportions" in the workplace: "People's treatment . . . depends upon their numbers in a particular situation. Change in the behavior and treatment of token women is strongly tied to shifting proportions" (1977, 241). Consistent with this approach, Kanter recommends "batch hiring" and "numerical clustering" as methods for empowering numerically underrepresented groups within organizations (1977, 282).

Subsequent research, however, indicates that sheer numerical representation is not enough to produce redistributive effects in the workplace (see Ridgeway 1988; Ely 1995). Instead, the chief mechanism of redistribution appears to be increased minority *power*, one indicator of which is increased representation among managers. For instance, in the universities and academic disciplines they studied, neither McElrath (1989) nor Toren and Kraus (1987) found any relationship between representation and achievement levels among female faculty. However, McElrath measured women's faculty representation within academic departments, without distinguishing between tenured and untenured women; and Toren and Kraus measured women's overall representation within academic "fields."

Chused (1988), on the other hand, measured women's faculty representation according to the percentage of women with tenure, and found a significant relationship between women's representation and promotion rates for female assistant professors. Ely (1995) focused on women's representation among law partners, and found that women's representation significantly affected the construction of gender identities within the firm. Likewise, our findings show that minority representation among partners

positively affects the rate of integration among associates. It appears, therefore, that redistributive effects depend on increased minority representation in upper-level jobs.

Upper-level representation may operate in several ways as a redistributive mechanism. One possibility is self-selection: minority applicants and prospective applicants may prefer to work in firms with a higher proportion of minority leaders, because they identify with minority leaders or because they view their presence as a symbol of minority opportunity in the firm.

Another possibility is that minority leaders may actively promote the interests of minorities in the workplace. In a study of public accounting firms, for instance, Hammond (1990) found that the number of African American partners was positively related to the recruitment and hiring of African American accountants. Interviews with individual accountants indicated that in most cases it was minority partners themselves who were directly responsible for promoting minority recruitment: "While (an increased effort to recruit minorities) was sometimes described as good business sense due to the shortage of accounting professionals, more often it was discovered that the participation was the result of the efforts of black partners and managers in the major firms" (1990, 16).

Finally, and most consistent with Kanter's theory, changing the composition of organizational decision makers may change the criteria by which minorities are evaluated by both majority and minority group members. Especially in professional and academic workplaces, where performance criteria are subjective and uncertain, the presence and participation of minority decision makers may help to counteract negative stereotypes and unconscious discrimination against minorities (Bartholet 1982; Baron and Newman 1990; Dressel et al. 1994; Ely 1995):

> Institutional discrimination in academia . . . is especially difficult to overcome because the assumptions on which it rests appear neutral and logical, and thus claim universal applicability and acceptability. In other words, recruitment and selection procedures appear to operate fairly. The fact that these processes are grounded in dominant group ideology generally goes unacknowledged, and the nature of the process remains unquestioned . . . . While the presence of non-dominant group members on a committee does not insure a fair process, their participation is likely to reduce the degree of discrimination in decision-making. (Dressel et al. 1994, 46, 61)

More research is required, in professional firms and other settings, to better identify the specific mechanisms by which redistributive effects occur. Qualitative approaches (such as Kanter's) would be particularly useful in this regard (see also Ely 1995).

The Importance of Group-Specific Analysis

Future research should pay particular attention to group differences in the effects of increased minority representation. Our findings indicate that the magnitude of redistributive effects varies for different minority groups. Thus, like some previous work (Zimmer 1988; Yoder 1991), our work suggests that the effect of increased minority representation may be more group-specific than Kanter asserts.

The question is, What accounts for such differences? One explanation is that the effect of increased representation depends on the relative size of the group. In our analysis, for instance, the effect of increased partner representation was statistically significant for women and Asian Americans, who are the best-represented (women) and fastest growing (Asian American) minority groups in large law firms (Chambliss 1998, 5).[21] Thus, it may be that a threshold of representation must be reached before increased representation has significant redistributive effects.[22]

Another explanation for our results is that the effect of increased minority representation depends in part on the minority group's influence within the firm's environment. That is, it may be that women and Asian Americans exercise more group-based influence on elite law firms than other minority groups; for instance, they may be better represented in the corporations (and corporate legal departments) that are elite firms' clients.[23] Thus, the effect of increased representation *within* the firm may depend on the level of group influence *upon* the firm.

Kanter's inattention to the organizational environment is the foundation of Zimmer's (1988) critique, discussed above. However, whereas Zimmer's critique suggests that environmental forces (such as sexism) always will trump organizational forces (such as increased representation), we view this as an empirical question. Future research employing Kanter's approach should address the relationship between organizational and environmental forces by comparing the effects of increased representation for different "minority" groups.

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21. Asian Americans are more likely than any other group (including whites) to enter private practice upon graduation (National Association for Law Placement 1997, 69). Asian Americans also are the fastest-growing minority group in our sample (see figures 1–4).

22. The threshold necessary for redistributive effects may differ for different minority groups. Women currently comprise over 40% of all law students, whereas the members of racial and ethnic minorities in the aggregate comprise less than 20%—and their numbers are falling (Chambliss 1998, 1, 16–17). Thus, even if the members of racial and ethnic minorities were represented in elite law firms at a rate proportional to their representation in the legal profession, they would still be tokens by Kanter's definition (1977, 208). Our results suggest that even increases in *token* representation may have redistributive effects; however, this issue deserves further analysis.

23. Asian American lawyers are more likely than Hispanic and African American lawyers to work in corporate legal departments, according to data from California and Texas (Chambliss 1998, 8).

CONCLUSION

Our analysis suggests that the level of minority representation among partners affects the distribution of rewards within law firms. Although the effects that we observe are relatively weak, our findings are consistent with lawyers' own accounts, which emphasize the effect of partner composition on law firm recruitment, hiring, training, and promotion (Chambliss 1998); and with previous studies, such as Kanter's, that document the importance of "social similarity" as an advancement criterion in professional jobs (Hammond 1990; Merritt and Reskin 1992, 1997; Dressel et al. 1994; Ely 1995). We therefore conclude that Kanter's theory of relative numbers deserves further empirical study and theoretical development.

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