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# Women's Professional Leadership in Law and Economics

Review of Evidence

Alex Berryhill  
Lorena Fuentes

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Research, evaluation and learning are core components of Co-Impact's work. As we embark on a concerted effort to contribute to achieving gender equality at scale in the global south, we need to learn about and build on the existing evidence and knowledge. As part of our broader learning effort, we commissioned a series of rapid reviews of literature by area experts to help us understand major trends as well as new directions about what we know works - and doesn't work - to achieve gender-equitable outcomes at scale in the global south. While these reviews serve as a core component of our evolving thinking, they do not represent official opinions of Co-Impact.

Given that these reviews are focused on critical evidence of initiatives that have been evaluated at scale, we understand there are experiences and knowledge that may not be captured in these documents. We hope to invest in additional reviews in the future to cover other areas of inquiry, and also to build on a wider spectrum of evidence and perspectives.

This important work underpins the development of our own research and learning strategy, in which we will prioritize the questions and needs of practitioners working to achieve gender equitable outcomes, and also to amplify the voices and experiences of women, girls, and other marginalized groups. We hope that this evidence and knowledge, in turn, will contribute to building the global evidence base.

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## Key Messages

### What does the evidence say on interventions to advance women's professional leadership in law and economics?

- **Partnerships with local women's organizations:** Efforts to expand women's professional leadership and create institutional change in the field of law and economics should be driven by local women's organizations—especially where such efforts are perceived by the wider population as uprooting gender norms. Specifically, in order to limit the risk of gender backlash and ensure desired institutional changes endure, programs should be designed in close coordination with local professional associations, as well as other local women's organizations. Women's professional networks and associations are key partners and sites for intervention, given that they serve the dual purposes of accelerating women's leadership, as well as raising awareness around issues that disproportionately affect women's abilities to fully participate in economic and social spheres. But while ample data shows that the most effective way to advance gender equality and women's empowerment is to invest directly in women's organizations, they remain chronically underfunded—often only provided with short-term funding—particularly in the Global South<sup>1</sup>.
- **Context is key:** Effective initiatives require a thorough context analysis in order to identify where women are facing disadvantages in their professional trajectories, and the extent to which barriers to women's entry, retention, and advancement to professional leadership positions are grounded in dynamics specific to the particular region, country, institution, and/ or professional context. Shedding light on these dynamics is key to elucidating entry points for action and pathways for change.
- **Holistic interventions:** Evidence of any particular intervention's successful impact is often accompanied by a large caveat: other interventions were also at play, indicating the importance of multi-level approaches. These approaches include: targets from the public and private sector via gender parity policies to promote accountability to gender equality; networking and training opportunities to prepare women for the challenges they will likely face in seeking leadership in male-dominated professional fields; and systems reforms to tackle institutionalized sexism and thus ensures that women have equal opportunities in practice, not just in theory.
- **Need for more flexible measurement practices:** Given the often overlapping nature of different women's leadership interventions, along with the diversity of factors that influence the professional leadership pipeline, tracking clear trajectories of any single interventions' impact is a methodologically complex task. While this scoping review highlights the need to address significant evidence gaps around women's professional leadership in law and economics, the literature also highlights the importance of more flexible measurement approaches so as to better capture the impact of different strategies for advancing women's leadership.<sup>2</sup>

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<sup>1</sup> See Girard, F. (2019) Philanthropy for the Women's Movement, Not Just 'Empowerment' [https://ssir.org/articles/entry/philanthropy\\_for\\_the\\_womens\\_movement\\_not\\_just\\_empowerment](https://ssir.org/articles/entry/philanthropy_for_the_womens_movement_not_just_empowerment)

<sup>2</sup> For example, Randomized Control Trials (RCTs) may not always capture this type of intervention's impact.

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## Does women's professional leadership in law and economics result in institutional and normative outcomes?

- The reviewed literature indicates growing consensus around a rights-based, rather than instrumentalist, approach to women's leadership. From a feminist perspective, this growing consensus is welcome; however, between the latter and the methodological complexities of connecting women's leadership to broader gender equality gains, there remain significant evidence gaps connecting women's leadership in law and economics with clear institutional and normative outcomes.
- Yet, while inconclusive and somewhat patchy, the available evidence does indicate a broad connection between women's professional leadership and gender equality advocacy, women's increased access to services, and the transformation of broader gender norms.
- On the other hand, evidence around women's professional leadership and the legitimacy of institutions is more mixed and requires further research. Some research on the diversity of judiciaries, for example, indicates a positive relationship between representativeness and trust in the judiciary. Yet, this evidence base is significantly biased towards experiences in the Global North. More evidence is needed elucidating experiences in the Global South, and the conditions that allow women's leadership to positively impact perceptions of institutional trust and legitimacy.

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## Introduction

Globally, the available evidence suggests that progress on women's leadership has been uneven, both in terms of region and domain. For example, while there have been notable advancements in the domains of women's political participation and leadership, particularly in electoral politics (Gender Gap Report, 2020), as well as steady increases in the numbers of women entering the legal profession and ascending to judgeships, far fewer advancements have been made (and even some notable regression) when it comes to women entering the field of economics, let alone ascending to leadership positions (see Levine, 2020a).

This scoping review asks what is being done to respond to this stalled progress. Specifically, this review explores a) the main barriers for women to enter and advance in their professional careers and, ultimately, to ascend to leadership positions and b) effective ways of removing those barriers or other ways to support women in these fields, and c) where the evidence base is lacking. In other words, this review is less concerned with informal leadership (such as grassroots women's movements) or the personal characteristics of individual leaders. To be sure, as feminist scholarship from across the Global South has long emphasized, women's informal leadership, not least at the grassroots level, is paramount to gender equality and gender justice struggles; this review, however, focuses on women's leadership through the lens of high-level decision-making power, particularly in the professional domains of law and economics.

Through this lens, this scoping review finds that while the evidence base on effective interventions to advance women's leadership remains limited, holistic, long-term, and locally-driven interventions are most effective for expanding women's professional leadership in law and economics. Furthermore, this review finds that while tracking clear trajectories of change between women's leadership and broader gender equality gains is a methodologically complex task, a triangulation of different literatures indicates a connection between women's leadership and the amplification of gender equality goals, women's increased access to services, and the transformation of broader gender norms.

Law and economics are both multi-faceted fields which traverse public and private sectors and academia and applied work. In addition to being highly influential, professional leadership positions in these fields also tend to be highly-remunerated and respected. From a women's rights—and indeed, feminist—perspective, the argument for tackling barriers to gender parity and promoting women's leadership is a normative one: before moving to the “why women's leadership matters” or “how women's leadership produces benefits for gender equality goals and for the greater society”, the a priori position is that women have a right to equal participation. More concretely, the Beijing Platform for Action (BPfA) clearly establishes that women's equal participation in public life and decision-making is a key lever for realizing all other elements of gender equality, and Articles 7 and 9 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) binds States parties to eliminate gender-based discrimination and to improve the accountability and gender-responsiveness of institutions by ensuring that women participate in governance and policymaking on equal terms to men. More recently, the United Nations Agenda for Sustainable Development crystallized calls for

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gender equality in all spheres of public and private life (SDG 5), and underscored the importance of institutions being representative (SDG 16).

Another angle on the importance of women's professional leadership in these domains is the instrumentalist one: the idea that women's participation in law and economics, but especially women's ascent to high-level decision-making positions (ie. leadership) in these fields, will catalyze gender equality and gender justice by making visible women's experiences and concerns within systems and institutions that have been operating gender-blind. In the domain of economics, for example, the idea is that having more gender diversity within a field that wields enormous influence over policymaking can ensure that issues such as unpaid care, gender pay gaps, and workplace harassment are elevated and attended to. Similarly, in the domain of law, the argument is that women's presence on high-level courts and judiciaries, for example, can produce more substantive legal advancements and outcomes for women's rights and that women in the justice sector will pay greater attention to discrimination, sexism, and gender-based violence.

But unlike the rights-based or normative argument for women's leadership, which states that there is inherent value to having women in positions of influence and decision-making power and that gender parity is good and right, the instrumentalist argument is subject to empirical scrutiny. This is where things become trickier. The evidence base regarding the relationship between the expansion of women's professional leadership in law and economics, on the one hand, and improved institutional and normative outcomes in favour of gender equality and gender justice, on the other, is patchy, and often anecdotal (or case-based), rather than based on systematic research. Furthermore, the peer-reviewed evidence base is even thinner when we move to the Global South context. And, as some scholars have noted, on balance, a "continuous policy commitment to equality for its own sake" may be the more effective and sustainable argument for promoting gender equality and women's empowerment (Duflo, 2012).

Still, as feminist scholars and women's rights advocates have cautioned, it is worth asking why women's leadership—whether in politics, law, economics, or any other traditionally male-dominated field—is required to pass the test of utility, which is itself an illustration of how sexism places barriers in front of women's advancement that do not exist for men. Indeed, as the International Development Law Organization recently highlighted, the ever-present question of what women justice professionals and leaders bring to the table obscures the fact that there is no equivalent empirical scrutiny placed upon male overrepresentation across most leadership positions and most domains (IDLO, 2018).

This review triangulates the findings from a rapid scoping review of academic and grey literature on strategies for promoting women's professional leadership in the fields of law and economics across the Global South. This review also maps the patchy evidence base linking women's increased professional participation and leadership in law and economics, to institutional and normative outcomes in favour of gender equality. In contrast to women's leadership in the domain of politics, the domains of law and especially economics remain relatively understudied in the scholarly literature; therefore, this review focuses on the broader categories of initiatives that have sought to address gender disparities, including in the domain of political leadership (e.g., gender quotas), and incorporates evidence from the Global North where these align with, or help to further illuminate, the examples emerging from the Global South.

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## Box 1: Current status of women in leadership in law and economics in the Global South

### State of women's leadership in economics

According to the Women in Economics Index (WiE), which monitors and tracks the share of women economists in senior positions throughout private and public sectors globally, significant gender gaps remain in women's leadership in economics across all regions. With that said, Global South regions, and **Africa** in particular, enjoy a greater share of women leaders in senior economist positions, compared to the Global North. About 35 percent of faculty members in top economic departments in Africa are women, along with 28 percent in **Latin America** and **Oceania**, compared to 18 percent in North America.<sup>3</sup>

This pattern changes when comparing global companies' chief economists: Given the majority of global banks are located in North America, Europe, and **Central Asia, or East Asia and the Pacific**, the Index compares these three regions, finding that whereas 26 percent of chief economists in North America are women, there are just 5 percent in East Asia and Pacific, and 18 percent in Europe and Central Asia. Additionally, the report finds that just 8 percent of central bank governors are women. Overall, the WiE indicates that the outlook remains grim for women's representation in senior economics positions, in both the Global North and the Global South (Women in Economics Initiative, 2020).

### What does the literature reveal regarding barriers to women's leadership in economics, particularly in the Global South?

Women and girls face a multitude of at times overlapping barriers throughout their education and career trajectories, resulting in women's underrepresentation in leadership positions in law and economics. These barriers are further exacerbated due to factors which include, but are not limited to, class, race, ethnicity, and sexual orientation. There are many common factors that limit women's leadership. For example, across diverse contexts, the pipeline to leadership begins to "leak" for girls at a young age, when they are socialized to view work as gendered—e.g., that certain professions are "acceptable" for men, but not for women (Jones, 2018). Cultural and institutional barriers are further exacerbated in countries with limited protections for girls' and women's rights (e.g., lack of protections from early, child, and forced marriage or limited access to primary education), or where marginalized communities lack access to quality education (Ongsongo, 2009).

The literature also indicates certain dynamics that make women's leadership in economics especially challenging. In particular, "there is widespread agreement that the central constraint on the numbers of women in leadership in economics is the relatively small number of women choosing economics as a course of study" (Levine, 2020a; Robb, 1999). There are a variety of speculations regarding why fewer women study economics,

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<sup>3</sup> However, it should be noted that despite this improved gender distribution among economists in the Global South, scholars from the Global South are less likely to have access to publishing in major economic journals, thus limiting their potential for professional advancement and representation within leading academic institutions.



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with evidence indicating the impact of stereotypes, confidence gaps, teaching styles, and lack of role models (Porter & Serra, 2020).

For those women who do pursue studies in economics, limited mentors and networks impact early-career female economists, and women also tend to receive less credit than men when co-authoring articles. Like most disciplines, “female faculty decreases with rank”—however, “economics is the one field where gender differences in tenure receipts seem to remain even after background and productivity controls are factored in and even for single childless women”—indicating other implicit biases are at play (Van Den Brink et al, 2012; Henry et al, 2020). A growing body of research, for example, highlights discrimination in hiring and promotion practices. Other research points to the “adversarial and aggressive culture within academic economics” (Lundberg & Stearns, Jenna, 2020), or to the fact that there is less recognition and professional respect for the topics women economists tend to study (such as microeconomics, instead of the often more respected field of macroeconomics).

While many of these findings are specific to academic economists, progress within academia may impact women’s progress in leadership positions in the private and public sector as well, where senior economists are often hired based on their academic success and access to powerful networks (Lundberg & Stearns, Jenna, 2020). Lastly, women in leadership positions in both the private and the public sector report the lack of family-friendly work policies, including child care and paid parental leave, as significant barriers for progress, resulting in less productive time or negative stigma from colleagues in male-dominated, competitive environments (Antecol et al, 2018).

### **State of women’s leadership in law**

Although women continue to be under-represented in senior legal professions across diverse contexts and data tracking women’s representation in law remains limited, available evidence indicates notably stronger signs of progress for women’s leadership in law, especially when compared to women’s leadership in economics. Since the 1980s, the proportion of women law students has improved across most regions of the world, and relatedly, there has been improved representation of women in both private and public legal practice. The general “feminization of law” (that is, both the increase in women’s representation within the legal field, along with the related—thought distinct—changing perceptions of certain areas of law as more “appropriate” for women) is most notable in Europe, North America, and **Latin America**, where the number of employed women lawyers continues to increase. In most regions, more women are assuming judgeships than rising to senior positions in private legal practice. Women’s representation among judiciaries in **Sub-Saharan Africa** has been especially impressive, “even at the highest levels,” with women becoming chief justices of supreme courts, presidents of constitutional courts, and judges on international courts at promising rates. In comparison, many countries throughout **Asia and the Pacific** appear to be

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lagging behind (Levine, 2020b). Lastly, there is a growing body of research on women's participation as paralegals, considered to be important community leaders and facilitators of marginalized communities' access to justice in many Global South countries (Namati, 2016).

**What does the literature reveal regarding barriers to women's leadership in law, particularly in the Global South?**

Some of the barriers women face throughout their educational and professional trajectories in law mirror those discussed above on women in economics. For example, traditional gender norms, stereotypes, limited rights protections, and access to education (with that said, women's entrance into and success in law school appears to be less of a problem when compared to economics, although this varies in different countries).

Other barriers, however, are more specific to the profession. These include inflexible work environments with a lack of family-friendly work policies, and persistent harassment in private legal practice. For women in the judiciary, on the other hand, barriers include non-transparent selection and appointment processes, as well as sexual harassment and hostile work atmospheres. Women seeking to enter politics-- a trajectory that is not uncommon to women in law-- face a diverse range of challenges as well, which include but are not limited to lack of public funding for campaigns, harassment and violence (particularly in contexts where the general public is resistant to women's leadership), and feelings of illegitimacy (which reduces women's confidence and ability to "perform" well) (Levine, 2020b; IDLO, 2020; Domingo et al, 2015). Women's lack of access to influential networks and mentors also creates barriers to leadership positions, particularly in male-dominated legal careers where "old boy networks" remain strong.

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## Methodology

This rapid review sought to explore and analyze (a) initiatives that have tried to remove or address significant barriers to women in the professional fields of law and economics in the Global South<sup>4</sup> and (b) evidence linking women's increased leadership to improved institutional and normative outcomes, produced after the year 2000. We undertook a multi-phased rapid scoping review; this included conducting a landscape scan of the peer-reviewed and grey literature on women's leadership in the domains of law and economics, social media crowdsourcing (e.g., Twitter appeals to our networks of feminist and women's rights colleagues in the Global South), and a targeted keyword search using the Google and Google Scholar search engines. The brief scopings conducted for Co-Impact earlier this year (Levine, 2020a & 2020b) provided a starting point for this review, and also illustrated the utility of the scoping methodology we employ here, which is "increasingly used for mapping areas that are nascent or widely scattered, where conventional searches of academic databases are less likely to be fruitful" (Holeman, Cookson, & Pagliari, 2016).

Given this rapid review's focus on interventions and evidence from the Global South, our social media crowdsourcing included appeals in English, Spanish, and French and tagged women's associations in the fields of law and economics across each Global South region. The initial landscape scan and social media crowdsourcing produced a total of 32 relevant references, which we then used to define the first set of keyword search terms for Phase 1 of the scoping review (see Box 2). These search terms included professions where we found more signal in the initial landscape scan. This search phase produced 31 additional relevant references.

After Phase 1, we noted the possibility that more popular academic inquiries, such as women's leadership in politics and barriers to women's leadership in the Global North, could be drowning out the literature and evidence from the Global South. In order to address these potential regional blindspots, and to ensure that we identified articles that discussed interventions specific to women's leadership in law and economics, including any evidence of positive institutional and normative outcomes, we adjusted our keyword search terms in Phase 2. Phase 2 terms included a combination of (a) specific and commonly cited interventions identified in the landscape review and Phase 1 search results, (b) specific professions in the fields of law and economics identified by Levine (2020a & 2020b) and where we found the most signal based on the initial landscape scan and (c) regions in the Global South. If a particular country was identified as having implemented a specific intervention, we included that country in our search terms as well. Based on these search parameters, Phase 2 produced 49 additional relevant references. Following peer review and recommendations, an additional set of keyword search terms was defined in order to fill remaining gaps in the collected evidence. Phase 3 resulted in an additional 27 relevant references.

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<sup>4</sup> 'Global South' is a term used to refer to regions and countries primarily but not exclusively in the Southern hemisphere with lower levels of socioeconomic development (e.g., LMIC's, or low and middle-income countries). Feminist scholars writing from Global South perspectives often call attention to the role of colonialism and policies of economic and political domination in producing underdevelopment across the Middle East and North Africa (MENA), Sub-Saharan Africa (SSA), Latin American and Caribbean (LAC), and Asia and the Pacific (AP) regions (see for example: Kabeer, 1994; Mohanty, 1984).

## Box 2: Keyword search terms for Scoping Review

Phase 1	Phase 2	Phase 3
<p><b>"Women's leadership" +</b></p> <p><b>"Professional leadership" +</b></p> <p><b>"Gender" +</b></p> <p><i>Bolded terms above were paired with the following additional terms:</i></p> <p>"Legal profession"</p> <p>"Judiciary"</p> <p>"Law firms"</p> <p>"Economic professors"</p> <p>"Academia"</p> <p>"Finance"</p> <p>"Macroeconomic policy"</p> <p>"Trade policy"</p> <p>E.g: "women's leadership" + "law firms" or "professional leadership" + "gender" + "law firms"</p>	<p><b>"Gender parity" +</b></p> <p><i>Bolded terms above were paired with the following additional terms:</i></p> <p>"Quotas"</p> <p>"Mentorship"</p> <p>"Associations"</p> <p>"Networks"</p> <p>"Maternity leave"</p> <p>"Child Care"</p> <p>"Transparency"</p> <p>"Judiciary"</p> <p>"Law Firms"</p> <p>"Corporate Boards"</p> <p>"Academia"</p> <p>"Economic policy"</p> <p>"Economists"</p> <p>"Africa"</p> <p>"Latin America"</p> <p>"Asia"</p> <p>"Middle East"</p> <p>E.g: "gender parity" + "quotas" + "judiciary" + "Africa"</p>	<p><b>"women economists" +</b></p> <p><b>"women policymakers" +</b></p> <p><b>"women paralegals" +</b></p> <p><b>"gender equality" +</b></p> <p>Bolded terms above were paired with the following additional terms:</p> <p>"Africa"</p> <p>"Latin America"</p> <p>"Asia"</p> <p>"Middle East"</p> <p>E.g: "women economists" + "gender equality" + "Africa"</p>

In total, this methodology helped us to identify 139 relevant references, including both peer-reviewed academic articles as well as grey literature, such as reports by international organizations and professional associations. Each reference was coded with the following: year, author, title, field (e.g., law: judiciary; economics: economist, etc.), region: country, type of initiative (e.g., mentorship, quotas, etc.), and a summary of key findings.

Building upon the findings from earlier briefs produced for Co-Impact in 2020, our scoping review suggests that rigorous evidence on the impact of initiatives that seek to remove or address significant barriers to women in the professional fields of law and economics is scarce, as is the evidence base linking increased women's leadership to improved institutional and normative outcomes. Where such evidence does exist, it is often anecdotal or case-study based, rather than systematic. Indeed, the available literature acknowledges that this is an understudied field which is hampered by evidence gaps across both Global North and Global South contexts (e.g., see IDLO, 2018: 27). Instead, the majority of research is centered around identifying the dynamics of gender inequality and elucidating the barriers to women's entry to and retention in law and economics, and their advancement to leadership roles in these fields. Given these limitations, our

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analysis often triangulates grey literature on initiatives in the Global South with peer-reviewed articles from the Global North, illustrating the possible impacts of different types of interventions for accelerating women's leadership in law and economics.

Notably, the results of our review suggest that, while certainly narrower in scope, an intervention-specific (e.g., quotas, mentorship programs), profession-specific (e.g., economics professors, judges), or impact specific (e.g., gender-responsive decision-making, women's expanded access to services, transformation of gender norms) scoping review of evidence may prove more fruitful for a deep analysis of what has proven effective (or ineffective) in promoting women's leadership in different Global South contexts. Such a study would be a worthy endeavour and help to fill a substantive evidence gap in the literature. With that said, the 139 references identified here shed light on several important findings, including the impact of certain types of interventions in particular fields, as well as the potential for such interventions to catalyze institutional and normative outcomes in favour of gender equality. These findings are elaborated in the next section.

## Initiatives to Address Gender Disparity in Law and Economics in the Global South

### Voluntary & Mandatory Gender Parity Policies

**Type of initiative:** Gender parity policies (e.g. voluntary and mandatory targets, gender quotas, or reporting requirements)

**What this initiative seeks to achieve:** Women's access to positions of decision-making power; diverse leadership that more closely represents populations served (e.g., gender equal representation).

**Barriers to women's leadership these types of initiatives seek to address or overcome:**

- Implicit gender bias and institutional sexism;
- The interrelated effects of unequal gender roles and responsibilities (e.g., time poverty due to unpaid care; lower education or professional achievements; lack of access to influential networks)

**How these types of initiatives seek to support women's leadership:**

- Accountability: both mandatory quotas and voluntary targets seek to hold institutions accountable to gender parity goals and commitments;
- Symbolism: research also suggests that such policies provide a "signaling" of institutions' commitments to gender equality.
- The Role Model Effect: research indicates that descriptive representation can positive influence gender norms and aspirations for leadership.

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### What does the evidence say?

- The available evidence is primarily limited to political quotas, which have existed longer and are now more widely prevalent throughout the world (half of the world's countries have implemented some form of a political gender quota), thus allowing for more comparative research. In contrast, there is less evidence but an emerging literature around corporate quotas, as well as some experimentation with judicial quotas and quotas on a variety of hiring or promotion committees.
- The growing evidence base on political quotas indicates that quotas advance women's descriptive as well as substantive representation, strengthen institutional accountability to gender equality, and increased investment in issues that disproportionately affect women's abilities to fully participate in economic and social spheres, such as investments in health and poverty alleviation.
- However, research also indicates a potential for backlash, depending on a number of societal and institutional conditions, although systematic research on the conditions that prompt or prevent backlash is limited.
- While the evidence on corporate quotas remains nascent, it appears that while these quotas can augment women's representation in boardrooms and potentially shape decision-making and innovation, there is no evidence yet of their influence on company's gender norms or the success of women not directly impacted by the quota.
- Overall, the literature on gender parity policies is promising, but caution is needed. While gender parity policies are important for increasing institutional accountability, they are by no means a "silver bullet" for fast tracking gender equality and women's leadership.

Gender quotas seek to "fast track" gender parity by establishing a defined proportion of seats that should be occupied by women and/or men. These quotas may be implemented through mandatory policies inscribed in constitutions or legislation, or instead as voluntary targets set by states, companies, or international organizations. Gender quotas, particularly related to political representation, have become a widespread intervention: half of the world's countries now have some form of a legislative gender quota, with Sub-Saharan African countries "at the forefront of gender quota adoption" (Berry et al, 2020). Importantly, quotas and reporting requirements may also take an intersectional approach, calling for increased representation of other marginalized groups. For example, in South Africa the Broad-Based Black Economic Empowerment (B-BBEE) Act and its accompanying Codes of Good Practice promote the participation of Black women in corporate decision-making through mandatory reporting on black women's representation within management teams, including boards of directors (Viviers et al, 2017).

Evidence from the literature suggests that voluntary and mandatory quotas are an effective intervention for increasing women's descriptive and substantive representation, as well as increasing institutional accountability and investments in issues that disproportionately

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affect women's abilities to fully participate in economic and social spheres—at least within particular sectors (notably, politics). This evidence also suggests that quotas are most effective when coupled with gender-sensitive workplace policies, and when implemented in coordination with strong women's movements transforming gender norms at the community-level and holding women representatives accountable, among other institutional and social conditions (Domingo et al, 2015; Dizik, 2015; Gottlieb et al, 2016; Mechkova & Carlitz, 2021; Chattopadhyay & Duflo, 2004; Duflo, 2012; Berry et al, 2020; Franceschet & Piscopo, 2008). While scholars today largely agree that quotas are effective for increasing women's representation "where public attitudes are more supportive of women in public leadership positions, where there is a higher degree of secularization and where there has been early extension of the franchise to women", there is a growing call for research that further identifies which political, social, and economic conditions are more suitable for different quota policy designs (Franceschet & Piscopo, 2008; Piscopo, 2018; Hillman, 2017; Pande & Ford, 2012; [quotaproject.org](http://quotaproject.org)) (see Box 3 for an example from Indonesia).

### **Box 3: Indonesia's Legislative Quota Policy**

Hillman's (2017) research on Indonesia's 2003 legislative gender quota illustrates the importance of analyzing institutional constraints to women's leadership when designing quota policies.

In response to extensive lobbying from the national women's movement, in 2003 Indonesia implemented a legislative gender quota seeking to remedy women's relative lack of representation. However, despite being inscribed in legislation, the policy lacked accountability measures. The first election with the new quota system resulted in a marginal increase in women's representation, from 9.6 to 11.1 percent. Once again, in response to lobbying from the women's movement, a new law was passed to increase the quota policy's accountability measures, which now required political parties to run with at least 30 percent women. This measure resulted in a more notable increase in women's representation, from 11.1 to 17.86 percent. Yet, in the following election, despite improvements in the media's coverage of women (less apt to sexualize candidates or frame them solely as mothers and wives), the following election found a very slight decrease in women elected to parliament, from 17.86 to 17.36 percent.

Hillman's (2017) research attempts to explain why, despite the improved accountability measures and media coverage, increases in women's representation stalled. In particular, he argues that cultural and institutional factors continue to constrain women's representation and limit the quota policy's success. First, surveys point to widely shared views that men are better leaders and that politics are "dirty" and inappropriate for women (although, notably, these views appear to begin to diminish in the years following the quota, in line with Beaman et al, 2009). Second, a change from a closed list system to an open list (in which candidates compete against all other candidates, including those from their parties) has resulted in highly competitive and costly elections. Without public funding, the high costs of elections have created a barrier for women's electoral success.



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While international programs seeking to support women's political leadership have focused on capacity building, this research paper recommends a shift in attention away from women's capacity (which he argues is not the problem) and instead towards institutional reforms. Additionally, and in line with the broader research, Hillman recommends investing and working alongside local women's movements who continue to advance norms change and improve state accountability.

A nascent but growing body of evidence also indicates a promising use of voluntary gender quotas among corporate boards as a means to catalyze private sector commitment to gender parity (Dizik, 2015; Piscopo & Muntean, 2018). For example, Malaysia's experience with quota targets illustrate such policies' potential to impact women's leadership. In 2011, the Malaysian cabinet established a voluntary quota, calling for women to comprise at least 30 percent of senior management and board positions in large companies by 2016. With this target still yet to be met, in 2017 the Malaysian Code on Corporate Governance was updated to include a similar provision: by 2020 large companies' board positions would, again, be composed of at least 30 percent of women. While the country still lags behind this 30 percent target, the country has made significant progress: between 2014 and 2018, women's representation among Malaysia's corporate boardrooms has increased from 10.4 to 20.6 percent (Deloitte, 2019).

According to Deloitte's 2019 report, voluntary corporate quotas, as opposed to mandatory corporate quotas, are significantly more widespread. Recent evidence from Norway, the first country to create legislation on mandatory corporate gender quotas, however, calls into question the broader societal impact of corporate gender quotas. According to Bertrand et al's (2014) analysis of the policy seven years after implementation, Norway's quota has produced positive impacts for the particular women selected to be on the board (including reducing the gender gap in earnings, expansion of networks, and improvements in career trajectories compared to predecessors). However, the policy has had few traceable positive spillover effects for the broader group of women employed at other levels of the company. Additionally, although one of the more downstream objectives of such gender parity policies is to challenge gender stereotypes and encourage younger generations to pursue otherwise male-dominated professions, available studies indicate that, in this case, the policy had minimal noticeable impacts on young women's educational choices (such as choosing to study business or economics), almost a decade later.<sup>5</sup> Importantly, the authors caution that even ten years may not be long enough to fully evaluate the policy's impact on women's leadership opportunities<sup>6</sup> (Bertrand et al, 2014; Pande & Ford, 2012).

Furthermore, there's a significant body of literature on the potential for "backlashes" in response to gender quotas, depending both on design and context. If other members of the institution in question have not yet internalised gender equality commitments,

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<sup>5</sup> This study did find that young women with graduate business degrees enjoyed improved labor market outcomes in their early career stages. However, given that similar results were evident among young women with graduate science degrees, the study concludes that this improvement for young women was likely not due to the corporate quota policy (Bertrand et al, 2014).

<sup>6</sup> Indeed, as the broader literature on gender norms emphasizes, gender norms are "sticky" -- changing them thus takes long periods of time, and, by the same logic, so too would producing evidence of that change (Jones, 2018).



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the implementation of a gender quota—whether mandatory or voluntary—may prompt them to perceive and/or treat their female colleagues as undeserving of their positions, which can in turn catalyze discriminatory behavior (Pryce & Sealy, 2013; Pande & Ford, 2012). For example, Berry et al's (2020) research on **Kenya's** county assemblies' "gender rules" found that while quotas sought to improve political inclusion, instead they (a) created new inequalities among women (specifically, between women elected to office and those nominated through the quota policy) and (b) prompted patriarchal backlash, including explicit acts of harassment, sexism in media coverage and social media platforms, and violent threats against women candidates, their families, and their supporters (Krook and Sani 'n, 2016: 126; Berry et al, 2020). That is, in some contexts women's leadership may provoke renewed efforts to maintain traditional gender norms, "through whatever means possible, rather than simply a continuation of ongoing patterns of violence" (Berry et al, 2020). Similarly, research from **Pakistan** following the implementation of a reserved seats legislative quota also found evidence of patriarchal backlash and increased discrimination against women, due to perceptions that "quotas [were] violating social norms" (Pande & Ford, 2012). But while a growing body of feminist scholarship has elaborated the problem of backlashes to gender quotas in electoral politics (see for e.g., Dahlerup, 2008; Franceschet & Piscopo, 2008), this dynamic remains relatively understudied in other fields that may also pursue gender quota initiatives as a method to achieve equal representation or to fast-track women's leadership, including law and economics.

#### **Box 4: Recommendations for addressing gender backlash**

In the context of gender equality and gender equality initiatives, backlash refers to "the many practices and processes which maintain or reinforce gender inequalities" (Flood et al, 2018). Backlash can take many forms, including denial, inaction, appeasement, appropriation, and repression. It may come from individuals or from groups, and from men and/ or women.

Putting the literature on backlash in conversation with the evidence presented in this review, it is clear that interventions designed to advance women's leadership in law and economics can often expect some form of backlash. Backlash is not a sign of program failure. On the contrary, backlash may indicate progress in challenging the status quo and deeply held norms. However, successful backlash can stall or even backtrack progress towards women's leadership and gender equality goals (Flood et al, 2018; Marcus et al, 2014).

As such, it is important for women's leadership and other gender equality interventions to be proactive in preventing and responding to backlash. There is a growing evidence base on best practices for doing so, although more research is needed to better understand the conditions that prompt backlash and context-specific strategies for prevention and response. This section outlines a brief review of the available literature on backlash, with recommendations for women's leadership interventions.<sup>7</sup>

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<sup>7</sup> For accessible recommendations on evidence-based strategies to prevent and respond to backlash, see (En)countering resistance, a guidebook developed by VicHealth based on Flood et al (2018): <https://www.vichealth.vic.gov.au/-/media/ResourceCentre/PublicationsandResources/PVAW/Encountering-Resistance-Gender-Equality.pdf>

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One of the clearest findings in the literature on backlash and women's leadership interventions is the importance of working with existing gender equality initiatives and networks in order to prevent perceptions of "foreign interference" against deeply held local customs, which is more likely to spark backlash (Domingo et al, 2015; Girard, 2019). Indigenous, community-level movements are key stakeholders for understanding local contexts and fostering the social conditions necessary for supporting women's advancement in professional leadership.<sup>8</sup>

Flood et al's (2018) synthesis of the evidence around backlash, in particular, provides practical strategies for reducing, preventing, and responding to resistance to gender equality policies. The authors recommend a contextualized mix of the following strategies:

- a. Organizational strategies, such as securing support from stakeholders in positions of power and influence;
- b. Framing strategies, such as strategic articulations of program rationale and benefits; and
- c. Teaching and learning strategies, which are most effective when participatory, interactive, and sufficient in length to allow change to occur.

Building upon these recommendations, it is critical to analyze the political and economic context in which leadership interventions are designed. For example, research from **Latin America** highlights the role of organized religion in resisting women's reproductive rights. Although "positions espoused by religious conservatives who reject gender equality can be out of step with social norms," the strong political influence of organized religion can result in the effective blocking of gender equality goals (ODI, 2014). Similarly, research from **Kenya** and **Tanzania** show how economic pressures produced additional threats to male breadwinners' identities and self-esteem, prompting backlash against government initiatives to support gender equality goals (ODI, 2014; Silberschmidt, 2001).

While the vast majority of the literature around gender quotas centers upon legislative and, to a far lesser extent, corporate quotas, there is some emerging evidence from contexts where quotas have been used within the judiciary, or by hiring and promotion committees (particularly in academia). For example, in 2005 **Jordan**'s Institute of Judicial Studies introduced a quota for the admission of women (set at 15 per cent), which consequently led to an increase in the number of female judges (see Box 5 for Jordan's continued efforts to increase women's representation in the judiciary). Additionally, several countries, including **Ecuador**, **Iraq**, and **Morocco** (ESCWA, 2019; Hoekstra, 2010) have attempted to implement quotas for female judges. However, given that Ecuador's policy was never fully implemented and that the evidence on Iraq and Morocco's quota policy remains limited, the literature appears patchy at best on the potential of gender quotas to accelerate women's leadership within judiciaries (Hoekstra, 2010).

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<sup>8</sup> For example, see Box 5 to learn how women's movements supported efforts to increase the number of women judges in Jordan, or Box 7 on how international women's associations are working with and supporting national associations' local advocacy for women's rights in West Africa and South Asia.

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In the academic domain, a 2010 study on how the gender composition of academic committees affects university promotions highlights another limitation to gender quotas as a means for promoting women's leadership. In an analysis of data on academic promotions in Spain between 2002 and 2006, researchers found that exams to fill professor positions resulted in evaluators on academic committees favoring same-sex candidates (indicating "the existence of 'old boys' and 'old girls' networks"), while exams for associate professor positions revealed that female junior evaluators exhibited opposite-sex preference when assessing candidates from their own institution (potentially, as the authors predict, due to strategic concerns<sup>9</sup>). These results indicate that "gender quotas may not necessarily increase female representation" in light of gendered networks and individual strategic concerns. In conversation with the broader literature on women's leadership, this evidence highlights the importance of context-sensitive and intersectional approaches to gender parity policies (Zinovyeva & Bagues, 2014).

Overall, the literature indicates that gender parity policies are promising tools for increasing women's leadership in the fields of law and economics, as well as for prioritizing women's policy issues (see more in the section, Evidence of Institutional Outcomes). Quotas are also important tools for increasing accountability: international organizations call upon national governments to set targets and collect data on women's presence in leadership positions in order to track progress and identify where gaps persist (see for e.g., ESCWA, 2019; IDLO, 2018; Domingo et al, 2015). However, there are also important limitations that must be considered. Importantly, the evidence suggests that advocates should be cautious about relying on gender quotas as an affirmative action policy to bring women into decision-making positions, especially in the absence of parallel initiatives that might tackle the root causes of gender disparities and biases in different contexts. Particular conditions should be in place (such as a shared commitment to gender parity within the specific institution pursuing the gender quota initiative, and publicly funded elections) and additional initiatives need to be invested in to create a holistic approach that is fit for the purpose of addressing the multiple and overlapping institutional and normative barriers to women's leadership that might exist in a given context.

## Networks & Trainings

**Type of initiative:** Network-building (e.g. mentorship programs; professional associations) and Capacity-building Programs (e.g. professional/ technical and leadership skills)

**What this initiative seeks to achieve:** Centered on building the individual capacities of women in leadership, these initiatives seek to provide women with the networks and skills necessary for professional success; build solidarity among women leaders working in male-dominated professions; raise awareness around gender equality within their profession.

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<sup>9</sup> Specifically, Zinovyeva & Bagues (2014) predict that female associate professors were more likely to promote opposite-sex candidates because they may "perceive that, because of an invisible gender quota, female assistant professors from their own institution may at some point compete with them for full professorship." That is, fellow women academics would perhaps pose more of a direct threat to their own opportunities for leadership.

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**Barriers to women's leadership this initiative seeks to address or overcome:**

- Access to professional networks, both formal and informal, is highly gendered. Such networks wield power and influence over leadership selection and appointment in ways that are non-transparent and which reinforce male overrepresentation.
- Relative absence of female role models and mentors that can inspire, guide, and provide pathways to leadership for younger generations and/ or women at early stages of their professional careers.

**How this initiative seeks to supports women's leadership:**

- Capacity-building: formal and informal training programs equip women with the hard and soft skills necessary for professional success (e.g. negotiating salaries, overcoming office stereotypes, profession-specific technical skills) ;
- Network-building: Mentorship programs, associations, regional women's conferences, and other network-building initiatives promote solidarity among women, who may otherwise face challenges of isolation by being in male-dominated industries;
- Challenging stereotypes: These initiatives also allow students and young professionals to consider careers that may otherwise appear inaccessible due to gender stereotypes.

**What does the evidence say?**

- Network-building and training programs appear to be the most popular and widespread of interventions, although evidence on the impacts of these programs remains mostly anecdotal, especially within the literature from the Global South (and particularly in contrast with the literature on Global North interventions to increase women's representation in economics, which is substantial).
- In particular, there is a strong body of research on the positive impacts of mentoring programs, especially for young women economists (although this research primarily comes from the Global North) and women judges (where we do see more evidence from the Global South).
- The literature on network- and capacity-building interventions illustrates the prominent role that women's associations play in supporting women's access to and success in leadership positions, including in the fields of law and economics. However, there is limited evidence on the impact of initiatives by women's associations, perhaps due to these organizations being chronically underfunded (like most women's organizations, especially across the Global South) (Girard, 2019).
- The available evidence suggests that there is an important role for network-building and training programs in supporting women in leadership. Still, the literature is also clear about the need for holistic approaches that simultaneously seek to catalyze institutional reform and accountability, rather than those which approach women's underrepresentation in leadership as a problem that can be resolved through individual capacity-building initiatives alone.

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One of the most consistent findings across both the peer-reviewed and grey literature is the widespread use of outreach strategies, network-building, and capacity-building initiatives to promote women's leadership, particularly among professional associations in the Global South. However, while there is a growing body of evidence around the different designs of these strategies or initiatives in the Global North (and particularly with respect to women's representation in economics), evidence from the Global South remains largely anecdotal, or is focused more on identifying challenges rather than elaborating best practices.

Networking is a critical factor for advancement and success in many professions, including in the fields of law and economics-- for instance, for lawyers working in private practice or economists in academia. Access to powerful and influential networks is also highly gendered—and, relatedly, often lacks transparency—across professional domains. Networking in male-dominated sectors can thus prove to be a significant barrier for women's progress (Henry et al, 2020; Wasburn, 2007). Evidence from the literature suggests that gendered barriers to networking are being addressed by universities (DeFrank-Cole, et al, 2014), professional associations (UN Women, 2011a), and government entities (ESCWA, 2019) throughout both the Global South and Global North through a variety of interrelated initiatives. These include the creation of formal or informal mentorship programs, online communities, and conferences where young and more experienced female professionals can come together and share their work.

Formal mentorship programs, in particular, are shown to have a significant positive impact on women's career trajectories in the fields of law and economics. Studies from the United States, for example, show that both male and female researchers who participated in a formal mentoring program were more productive than comparable researchers who did not, while informal mentorship relationships did not produce any statistically significant differences for research productivity (Muschallik & Pull, 2014; Porter & Serra, 2020).

Network- and capacity-building programs are especially important early in the "professional leadership pipeline." For example, the IDLO (2018) highlights a study from Pakistan which noted that the early phase of a judicial career is the most fragile period for women, and where retention issues are most pronounced. As such, this study found that targeted training can help ensure new women judges are not "set up to fail"—"especially in contexts where gender segregation norms mean that they cannot reach out to predominately male judges for support." The evidence on early-career mentorship programs is also illustrated by a randomized study in the United States, which found that young women economists paired with senior mentors "to address issues such as effective teaching, navigating the journal publication process, balancing work and life, and the tenure process," enjoyed a greater number of top-tier publications, total number of publications, and successful federal grants (Blau et al, 2010; Bayer & Rouse, 2016).

Anecdotal evidence also suggests the empowering and motivational benefits of network- and capacity-building interventions. The Association for the Advancement of **African** Women in Economics highlights how capacity-building programs provide a space for women to deepen their networks and confidence, while also bolstering their professional profiles.<sup>10</sup> Research looking into Africa's high-level judiciaries, similarly,

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<sup>10</sup> See participant feedback from the Association for the Advancement of African Women in Economists past activities at <http://www.aaawe.org/comments-ghana-july-2013/>

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indicates that mentors inspire young women professionals and students “to follow in their footsteps” and they also provide crucial support for other women “to overcome their self-limitations” and succeed in otherwise male-dominated industries (IDLO, 2018, referring to Dawuni & Kang, 2015).

### **Box 5: Jordan’s “Future Judges” Training Program**

The Jordanian Judicial Council’s investment in young judges via the “Future Judges” training program illustrates the potential for multi-stakeholder support to bolster women’s leadership in the legal profession, through the coupling of capacity-building with financial assistance and institutional reforms.

Implemented between 2008 and 2014, the “Future Judges” training program “aimed to attract, train, and fast-track qualified young Jordians” into judicial careers through multiple parallel strategies. At the outset, candidates were selected based on transparent and advertised criteria; women ended up accounting for 68 percent of all participants. “Future Judges” coupled financial assistance (a full scholarship with the support of USAID) along with additional local and international educational opportunities and targeted skills development (ESCWA, 2019). During the program’s implementation period, the Government of Jordan also introduced merit-based hiring for judicial appointments (USAID, 2021).

The program’s impact on women’s representation among the judiciary is notable. According to USAID’s program reporting, while in 2006 women accounted for only 6 percent of judges in Jordan, this figure reached 22 percent by 2018, representing a tripling of female representation in the judiciary (USAID, 2021; ESCWA, 2019). Interviews with legal actors in Jordan regarding the country’s progress in the representation of women in the judiciary indicate that “the higher presence of women has led to a more cordial atmosphere inside the courtroom, which facilitates a smooth adjudication of cases, more gender-sensitive handling of cases and higher sensitivity to the judiciary’s role in protecting women from violence” (ESCWA, 2019). Furthermore, interviewees noted that women’s associations of judges have continued to leverage these gains to foster more gender-sensitive judicial systems.

Much of the grey literature also highlights the critical role played by women’s groups, including professional associations and grassroots organizations, in advancing women’s leadership in both law and economics. Women’s professional associations include a range of formal and informal organizations that bring women together within a particular sector or profession at the local, national, regional, or international level. These organizations generally share the goal of supporting women’s advancement within their profession, and often (although not necessarily) advocate for gender equality goals relevant to their profession (for example, some associations of women economists advocate for feminist economic policies). In comparison, women’s grassroots organizations do not necessarily revolve around a particular profession, but instead more generally share the common goal of bringing women together to advocate for women’s rights and political change.

Although there are few articles focusing on the particular impact of women’s professional



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associations in the Global South and women's access to leadership positions, there is a strong body of evidence on the importance of women's grassroots organizing for challenging norms and grounding national advocacy in women's experiences (Domingo et al, 2015). Furthermore, this review noted significant advocacy among donors and international organizations to promote and strengthen women's professional associations as a means to combat harmful gender norms and support women's access to and leadership in law, economics, and other male-dominated fields (for example, see: Domingo et al, 2015; UN Women, 2011a; IDLO, 2014; and IDLO, 2018).

It is worth flagging here that despite the robust evidence base showing the effectiveness of women's grassroots organizations in transforming harmful gender norms, increasing women's empowerment, and ensuring state accountability to gender equality goals, women's organizations remain chronically underfunded worldwide, and especially across the Global South (Girard, 2019). Indeed, it is worth considering how persistent funding gaps and the donor community's preference for providing short-term, targeted funding for the work of women's organizations, exacerbates gaps in systematic evidence on the impact of leadership interventions by women's organizations, associations, and movements (ibid).

To be sure, the network- and capacity-building approach to promote women's leadership is not without its criticism. In particular, critics point out that by focusing on women's need to develop new skills or "adapt" to male-dominated professional environments, training initiatives place the burden of addressing gender inequality on the shoulders of individuals, when the focus should be on tackling the biased systems that undergird gender inequalities in these professions and institutions in the first place (Maunganidze & Belso-Martinez, 2019; Peterson, 2019; Agunsoye, 2020; Hillman, 2017). These initiatives can also exacerbate negative perceptions. For example, one study on women's leadership across six global investment banks indicates that participating in women's associations can produce a negative stigma for participants within the workplace, as participants are judged for "needing extra help" (Pryce & Sealy, 2013). As is true for all initiatives for gender equality, the literature emphasizes that context is key: attending to context is critical when determining what type of networking or training program is needed, and for identifying how it will be received.

## Institutional Reform

**Type of initiative:** Institutional reforms throughout the professional leadership pipeline (e.g. affirmative action policies; transparent selection and promotion processes; training selection committees on bias; sexual harassment and discrimination policies; gender-sensitive workplace policies).

**What this initiative seeks to achieve:** Processes and work environments that ensure men and women have equal opportunities for success throughout their educational and professional trajectories.

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**Barriers to women's leadership this initiative seeks to address or overcome:**

- The consequences of unequal gender roles and responsibilities (such as women's lower education or professional achievements and time poverty due to unpaid care responsibilities);
- Gender-insensitive workplace environments that contribute to the "leaky pipeline" in women's leadership trajectories (e.g. sexual harassment; lack of child-care provision)
- Lack of institutional or workplace "buy-in" to gender equality goals (due to widespread acceptance of discriminatory gender norms, roles, and stereotypes).

**How this initiative seeks to support women's leadership:**

- Equality of opportunity: institutional policy reforms challenge biased and discriminatory selection and promotion processes, while fostering work environments that recognize and respond to women's unequal responsibilities for unpaid care and domestic work.

**What does the evidence say?**

- Existing evidence indicates the promise of affirmative action policies that seek to expand women and other marginalized groups' access to education, although these have proven more effective when paired with financial assistance.
- A strong body of evidence illustrates that gender-sensitive workplace policies (such as child care and parental leave) are crucial for women's political and economic equality, including their professional trajectories.
- There is also some evidence on the importance of transparent and fair selection processes for supporting women's advancement in law and economics, although this evidence remains somewhat anecdotal.
- Research around institutional reforms highlights the need to understand the specific barriers women face in entering and advancing in the fields of law and economics, and therefore where reforms are most needed. In most contexts though, the research suggests that various "leaks" throughout the professional pipeline will require ongoing, synchronous, and iterative attention before increases in women's leadership in law and economics are evident.

Much of the literature identifying the barriers to women's professional leadership in law and economics highlights the need for initiatives that center on institutional reform. From this perspective, efforts to increase women's leadership need to address the multiple "leaks" along the pipeline of women's education and career trajectories where systematic biases undercut opportunities for advancement and success (Ongsongo, 2009; Agunsoye, 2020; Antecol et al, 2018; Brenner, 2014). The literature also highlights the importance of taking an intersectional approach to identifying biases in the career pipeline that extend beyond gender, such as class, race, ethnicity, sexual orientation, and/or geography (Ongsongo, 2009; Kang et al, 2020; Kenney, 2019). Some of the



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more commonly discussed reforms within this space include affirmative action policies for women and marginalized groups, gender-sensitive workplace policies (including paid family leave and childcare services), and more transparent and fair selection and promotion processes.

As is to be expected, the barriers women face throughout the professional pipeline can differ not only depending on the particular industry, but also the broader cultural context in a given country or region. Evidence on the impact of institutional reforms in advancing women's leadership is thus highly context-specific—although some key findings remain consistent. These include the need to work across various parts of the pipeline (and not only in areas where there is the most obvious concern), pairing institutional reforms with both networking and training programs as well as with strengthened accountability mechanisms (such as gender parity targets).

In **East Africa**, for example, access to higher education has been identified as a significant barrier early in the pipeline which prevents women from progressing into decision-making positions. As such, universities have developed affirmative action measures, based on a mix of state and university-based policies, to accelerate women's access to education and increase opportunities for leadership (Onsongo, 2009). However, different arrangements of affirmative action policies have had mixed impacts: **Kenyan** public universities' affirmative action policy (limited to a lower entry score program) has produced little success in increasing female enrollment rates. In contrast, **Ugandan** and **Tanzanian** public universities have used a more multifaceted approach that has resulted in significant increases in female enrollment and academic success. Uganda couples a lower entry score scheme for women with financial assistance for rural, economically disadvantaged women to study science and technology. Meanwhile, in Tanzania, the faculty of science coupled the university's lower entry program with a remedial programme, which provided women who did not meet the entry requirements with the option to participate in the latter (Kwesiga et al., 2005; Wanyande, 2003; Owong, 2009).

In other contexts, we see more women enrolled in law and economics courses at the university level, yet somewhere in the early professional years, retention and performance rates begin to diverge (Hunmin, 2013; Brenner, 2014). In such contexts, experts have called for reforms focused on more transparent selection and promotion processes, bias trainings, or gender-sensitive workplace policies (IDLO, 2018; Levinson & Young, 2010). For example, research indicates that both domestic and international courts' selection processes are biased to women's disadvantage, viewing women's qualifications as secondary to their male counterparts (Dawuni, 2016a; Dawuni et al, 2019; Schultz & Shaw, 2013). Responding to this barrier, new, more transparent judicial appointment processes in **Nigeria** and **Zambia** are helping to improve courts' gender diversity and accountability. Research from Dawuni et al (2019) indicates that judicial selection committees with "open and transparent appointment processes that assess women's merit and qualifications," paired with commission leaders who are committed to "positively evaluating stereotypical perceptions of women and the political willingness...to nominate qualified women" can serve as important "gatekeeping strategies" to improve gender diversity on courts. Research on women and minorities' underrepresentation in economics also highlights the importance of such implicit bias interventions, including methods to "debias" evaluation processes or campaigns to raise awareness of implicit

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biases. Bayer & Rouse's (2016) research, for example, finds that implicit attitudes play a significant role in limiting women and minorities' opportunities throughout the pipeline to economists' professional leadership and success. Experimenting with implicit bias strategies from other contexts and industries<sup>11</sup> could be fruitful ways to improve diversity within the economics profession.

Other studies concerning academic promotions and peer-review processes indicate that at times it is not discrimination or biases of selection or review committees, but rather, other gendered dynamics, including care work responsibilities, that may professionally disadvantage women at critical moments in their careers (Mairesse et al, 2020). For instance, there is a significant body of literature on how the "maternal wall" (or projection of women's limited competence for taking maternity leaves) diminishes women's leadership opportunities across diverse contexts and industries, while also widening gender pay gaps (Younger et al, 2015; UN Women 2019; Budig & England, 2001). Women often cite care responsibilities and the difficulty of "juggling" different roles as a common barrier to professional leadership. The latter is illustrated in Mangatu's (2010) survey of women bank managers in **Kenya**, who ranked family-work balance struggles as the most significant barrier to advancement.<sup>12</sup> These dynamics underscore the critical importance of gender-sensitive workplace policies, including paid parental leave, child-care policies, and sexual harassment protections, for improving gender equality in the workplace and home (UN Women, 2019; Blofield & Franzoni, 2015).

Global data indicates that countries that "do the most to encourage the employment of mothers through paid leave and childcare" are also the countries with greater female labor force participation and higher ratios of female earnings as a percentage of household income (Lambert, 2008). Furthermore, evidence from **Latin America and the Caribbean** shows that national and local governments that have been experimenting with different gender-sensitive work policies over the last several decades, such as paid family leave and child care services, have catalyzed improvements on gender equality, including promoting more equitable distribution of care responsibilities within households and increasing women's labor force participation. In some cases, these policies have also improved socioeconomic equality, for example through the extension of paid leave to temporary or agricultural workers (Blofield & Franzoni, 2014; Blofield & Franzoni, 2015; Hopenhayn et al, 2011; Bando, 2019; UN Women, 2020). **Chile** and **Uruguay** have been highlighted as the first countries in the region to implement shared parental leave policies (UN Women, 2019:160). Bogota, **Colombia's** capital, is developing a District Care System, which will support women's labor force participation by creating a "co-responsible model of care between the District, the community, families, and the private sector" (UN Women, 2020). Meanwhile, several countries, including **Chile**, **Costa Rica**, and **Mexico**, have created certifications for companies with gender equitable work policies as a means to promote private sector accountability to gender equality (CEPAL, 2011). Similarly, research from **South Asia** illustrates how **India's** private law firms' "surprising" progress on gender parity may in part be influenced by the availability of child care and

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<sup>11</sup> The example provided in this study comes from the music industry, which highlights a case where auditions for professional orchestras occurred behind a screen, resulting in increased selection of women musicians.

<sup>12</sup> The other options in the survey included (from most commonly cited to least): structural and corporate patronage; burden of femininity & cultural prejudice; capability and resilience; mentorship programs; networking; leadership style and strategies; right qualifications, experience, & skills; training opportunities and challenges.

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domestic workers due to the caste system, which opens up new questions on both gender and socioeconomically equitable labor policies (Ballakrishnen, 2021).

As with other categories of initiatives elaborated in earlier sections, the literature also flags the potential for negative responses to gender-sensitive workplace policies, especially in certain environments. Pryce & Sealy (2013), for example, show how policies designed to improve women's opportunities for success in Investment Banking sometimes have negative unintended consequences, with these policies becoming "ghettoised" "as something for more junior level mothers," and "encouraging a view that women need extra help," rather than raising awareness on systematic gender discrimination and inequality. Likewise, the IFC's research on family policies among Japan's financial services sector found that high numbers of women taking maternity leave resulted in other employees "feeling that they had to make up the work left undone in their absences," thus creating resentment against mothers.

## Evidence of Institutional and Normative Outcomes

As noted elsewhere (see Levine 2020a, 2020b), the evidence base connecting women's professional leadership in law and economics to clear institutional and normative outcomes is limited, and, where it does exist, it is often anecdotal or inconclusive. Much of the literature instead starts from the position that women's leadership is an essential human right, citing CEDAW article 7 (ESCWA, 2018). Furthermore, it may be reasonable to expect a limited evidence base connecting women's leadership to institutional and normative factors given the complexity of factors involved with such outcomes (or the difficulty of attributing outcomes to a singular initiative), and the persistent question of "how long" might it take for women's professional leadership to begin bearing fruit and further spillover effects at the institutional and normative levels (Domingo et al, 2015; Mechkova & Carlitz, 2021; Chattopadhyay & Duflo, 2004; Duflo, 2012). Lastly, recommendations for scholars and advocates to shift from examining the impact of gender on decision-making alone, to also looking at the impact of feminist leaders on decision-making, may also explain the limited evidence on this particular research question (Dawuni, 2016a; Rehaag, 2011).

Yet, while inconclusive, the available evidence base does illustrate a strong connection between women's professional leadership and amplified gender equality goals, women's increased access to services, and the transformation of broader gender norms. On the other hand, evidence connecting women's professional leadership to improved institutional legitimacy is more mixed. In piecing together the existing—albeit patchy—evidence base connecting women's leadership in law and economics to institutional and normative outcomes, the following subsections also raise questions for future research.

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## Advocating for Gender Equality Goals

### Do women leaders in law and economics advocate for gender equality?

- While women's substantive representation does not follow "automatically" from their descriptive representation, the literature analyzed for this scoping review suggests that women in leadership often advocate for gender equality. This includes advocacy through awareness raising and increased investment in issues that disproportionately affect women's abilities to fully participate in economic and social spheres, particularly under certain enabling conditions.
- The grey literature indicates that women's organizations, including women's professional associations, are critical sites for not only advancing women's professional leadership, but also for leveraging women's leadership to advocate for broader gender equality goals and for issues particular to the given profession.
- While the literature is clear that women in leadership often support gender equality advocacy, it is also clear that researchers and donors must move beyond unidimensional understandings of gender. Intersectional analysis is needed to understand women leaders' complex identities, incentives, and priorities, which often but do not always, result in advocacy around gender equality goals.
- The likelihood and ability for women leaders to successfully raise awareness and increase investment in gender equality goals depends on a variety of enabling social and institutional conditions. However, the evidence base on what specific conditions most matter remains relatively nascent and context-specific.

Past literature reviews have established a substantial evidence-base connecting women's leadership with increased awareness of and investment in gender equality goals (Domingo et al, 2015). This section synthesizes the literature around women judges, economists, and policymakers, which largely indicates that women in professional leadership raise awareness of and investment in issues that disproportionately affect women's abilities to fully participate in economic and social spheres, including gender-based violence, unpaid care work, and health. However, an intersectional analysis is needed to recognize women leaders' complex and sometimes conflicting identities, incentives, and priorities, which often but not always result in advocacy around gender equality goals. To this end, there is a growing body of literature that seeks to identify the particular social and institutional conditions that are associated with gender equality gains when women are in leadership positions. Still, as discussed below, significant research gaps remain.

Lastly, this section draws attention to the important role of international and regional professional women's associations, such as the International Association of Women Judges, the International Association of Feminist Economics, the Association for the Advancement of **African** Women in Economics, or the Network of Feminist Lawyers in **Argentina**, in leveraging women's leadership for gender equality advocacy. Professional associations serve the dual purpose of accelerating women's leadership in their professional fields through mentoring, networking, and training opportunities, while also organizing members around issues pertinent to women's rights. Furthermore, these

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associations also play a crucial role in raising awareness about gender inequalities within the given field, holding governments accountable to tracking progress on gender parity, and upholding women's professional leadership as a policy issue of public concern (ESCWA, 2018) (See Box 7).

**Gender and Judging.** The question of how gender influences judging and policymaking has been heavily investigated by scholars around the world. These studies point to some mixed results. For instance, anecdotal evidence suggests that women judges bring their personal experiences with issues related to gender (such as sexual harassment or domestic violence) to the bench, thus incorporating new perspectives to otherwise male-dominated benches (Dawuni, 2016a; IDLO, 2014; IDLO, 2018). As summarized in the IDLO's extensive literature review on this matter: "women judges improve substantial justice outcomes for women and girls by judging more compassionately women-specific matters and influencing and educating other colleagues by not allowing sexist comments, stereotyping and gender bias to go unquestioned" (2018).

Two areas in which the evidence of the impact of gender on judging are particularly clear are sex discrimination and sexual assault. A study of US federal appellate cases in the United States over several years found that panels where a woman judge was deciding the case were twice as likely to rule in favor of plaintiffs for sex discrimination and sexual assault cases (IDLO, 2018; Peresie, 2005). A study on sexual assault cases and the impact of gender on sentencing by the International Criminal Tribunal for the Former **Yugoslavia** illustrates similar findings: "female jurists more severely sanction defendants who assault women, while all male panels of judges do the same for male victims" (King & Greening, 2007). In contrast, recent studies from **India** and Canada indicate that gender and religious identities had no influence on judges' decisions (Rehaag, 2011; Ash et al, 2021). With that said, the study from Canada, which analyzed the impact of judges' gender on decisions regarding asylum applications, also showed that women judges **with prior experience in women's rights** had higher average grant rates overall in cases involving women claimants and cases involving gender-based persecution (Rehaag, 2011).

Such research underlines the importance of considering not only the impact of gender on judging, but also how other identities—and thus experiences—influence decision-making. Along similar lines, further research is needed on the conditions that allow women judges, along with feminist judges of diverse identities, to take on leadership roles in shaping judicial decisions. It is also relevant to note that some studies may have an implicit goal of not proving an impact of gender on judging in order to prevent women judges from being framed as unfairly biased towards certain cases (IDLO, 2018).

**Women Economists and Feminist Economics.** Historical analyses on the evolution of economic thought often associates the rise of notable women economists to the advancement of feminist economics and associated challenges to heterodox economic models (although this literature tends to be highly biased towards the Global North) (Beneria, 1995). While recognizing that clearly not all women economists are feminist nor prescribe to feminist economic thought, Beneria (1995) illustrates how women economists (alongside male colleagues) helped bring greater attention to issues that disproportionately affect women's abilities to fully participate in economic and social spheres (such as unpaid care work and gender pay gaps) in the 1950s and 1960s. The emergence of the women's movement and development of feminist theory through

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the 1980s and 1990s furthermore “engendered economics,” challenging heterodox models that otherwise exclude or undervalue women’s work. That is to say, while women economists were not the only economists to challenge heterodox economic models and bring women’s work to the forefront, there is a strong historical record of women economists—including Marianne Ferber, Nancy Folbre, Julie Nelson, and Diana Strassman— leading this work (Becchio, 2019).

Rodgers & Cooley’s (1999) research on trends in development economics also points to the historic role of women economists in challenging traditional economic models designed by “a handful of great men” (Becchio, 2019). In analyzing the evolution of development economics, Rodgers & Cooley note how the innovative work of five leading female economists<sup>13</sup> has helped trigger significant paradigm shifts in development economics, specifically away from “trickle down” economics and towards investment in human capital and poverty alleviation starting in the mid-1960s. Although these particular leading economists varied in their ideological approaches, the authors argue that their innovative field work and advocacy significantly shifted development thinking.

Indeed, recent surveys of male and female economists in the Global North have also highlighted differences in men and women’s perspectives on economic issues. May et al’s (2014) study of economists in the United States found that men and women held statistically significant differences in beliefs around market regulation, tax redistribution, and health insurance policy (with women being more likely to support market regulation, progressive tax structures, and express views that US employers should be required to provide health insurance to full-time employees). A survey of male and female economists at universities in the European Union mirrored these findings, even when controlling for country of residence, degree vintage, and location of Ph.D. earned. In particular, the study found that “the average female EU economist appears to disagree more with core principles and methodology, and is more likely to believe that opportunities for women are unequal to those of men than is the average male economist” (May et al, 2018).

Betancourt & Espinel’s (2018) analysis of publications by the United Nations Economic Commission for **Latin America and the Caribbean**’s (CEPAL) 10 most published female and male authors suggests that the aforementioned studies from the Global North may be somewhat mirrored in results from the Global South as well. Their study found a clear pattern of difference between men and women’s research topics, with women researchers at CEPAL primarily working on social issues, and specifically on gender studies and affirmative action, poverty, education, and demographics.

With that said, it is important to note that this tendency of women economists to help bring light to issues that disproportionately affect women’s abilities to fully participate in economic and social spheres and amplify gender equality goals may also, in some contexts, create a barrier for their progression to leadership in the sector. That is, in economics departments or journals that prioritize heterodox economic theory and view feminist economics and “women’s issues” as inferior, women economists’ prioritization of these issues may result in lower regard for their work (Betancourt & Espinel, 2018). This highlights the importance of supporting women’s leadership in order to overcome

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<sup>13</sup> Irma Adelman, Frances Stewart, Nancy Birdsall, Anne Krueger, and Alice Amsden.



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such biases. For example, research on Italian economists found that as academia has grown increasingly competitive, Italian women economists have become increasingly pressured to adopt a strategy of ‘homologation’ towards the same research interests as their male colleagues, in order to increase their chances to secure tenure (Corsi et al, 2019).

**Women Policymakers in the Global South.** A growing body of research using regional cross comparisons and randomized trials indicates that women policymakers, including both elected and appointed officials, bring greater attention to and investment in issues pertinent to women’s lives. For example, Chattopadhyay & Duflo’s (2004) groundbreaking study of village councils in **India** (which under a 1993 quota policy must reserve 30 percent of seats for women) illustrated gender differences in men and women’s investment in public goods. First, the study established that “women in West Bengal complained most about drinking water and roads, and much less about education and irrigation, [while] men complained most about roads and irrigation and less about drinking water”—illustrating a pattern of priorities that “dovetails with gender responsibilities of men and women within the household and their employment opportunities.” Second, the study found that women elected to village councils were more likely to invest in the public goods women were most concerned with (water and roads), and less in the issues men were most concerned with. This same pattern was evidenced in the study’s analysis of village councils in Rajasthan (Duflo, 2012).

More recently, Swiss et al’s (2012) analysis of 102 **Global South** countries illustrates this same trend, finding that an increase in women legislators is associated with a “prioritization in health, an increase in social policy spending, and a decrease in poverty.” Building off of Swiss et al’s findings, Mechkova & Carlitz’s (2021) empirical analysis across countries in **Sub-Saharan Africa** illuminates a similar pattern, while also showing that the association between women’s leadership and investment in issues that disproportionately affect women’s abilities to fully participate in economic and social spheres is more likely: a) in contexts with strong patriarchal gender norms (thus resulting in more strongly shared experiences among women), b) where women are active in civil society, and c) in countries with gender quotas or proportional electoral systems, as is elaborated below.

This sheds light on an important dynamic: the greater the gender gaps in norms and women’s representation, the greater the gender gaps in policy preferences. In other words, precisely where women’s leadership is most needed to ensure inclusive policymaking, is where we find the least representation of women (Gottlieb et al, 2016). Furthermore, while gender gaps in policy preferences indicate the importance of women’s representation, we also know that entrenched patriarchal beliefs are more indicative of the potential for backlash when women do claim leadership positions (Berry et al, 2020). This underlines the importance of proactive considerations of backlash when designing leadership interventions (see Box 5).

Lastly, Mechkova & Carlitz’s (2021) study, along with Clark & Piscopo’s research on quotas in **Latin America** (2018), emphasizes the importance of differentiating between descriptive representation in policymaking processes and outcomes, which can often differ and result in an under-valuing of women policy makers’ representative influence on gender equality goals.

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Overall, it is evident that women in leadership tend to show different preferences than their male colleagues, as indicated by the literature on women judges, economists, and policymakers. However, by no means is women's descriptive representation indicative of substantive representation, in any of these sectors (Berry et al, 2020). More research is needed to define the particular conditions that allow for women's substantive representation in different professional fields, both in terms of processes and outcomes. While studies such as Mechkova & Carlitz (2021) and Gottlieb et al (2016) provide important insights, additional evidence is needed to further understand the particular circumstances that allow women's representation in leadership positions to more successfully promulgate gender equality goals, including the role of women's associations and their advocacy in facilitating positive outcomes.

### **Box 7: The International Association of Women Judges' "Global Leadership of Women" Program in West Africa and South Asia**

The International Association of Women Judges' (IAWJ) mission is "to promote and empower women judges who can help uproot gender bias, end discriminatory laws, advance gender-responsive courts, and promote human rights for all." Their significant portfolio of women's leadership programs illustrates the dual role of women's associations in advancing women's leadership opportunities, while also advocating for women's rights and gender equality. Additionally, their work illustrates how networking across regions can serve as a best practice for sharing ideas, expanding professional networks, and empowering women by fostering solidarity among women judges.

In February 2013, the IAWJ launched the Global Leadership of Women (GLOW) program, which sought to translate lessons learned at International Tribunals to low resource courts in six countries across **West Africa** and **South Asia**, including **Bangladesh, India, Nepal, Cameroon, Ghana, and Nigeria**. Participants from these and neighboring countries came together at The Hague to discuss their experiences as women judges and their role in ending impunity for crimes related to gender-based violence (GBV). Specific attention was also paid to access to justice for GBV victims, the need for victim-friendly courts, the role of the traditional justice sector in working with victims, and lessons learned from international tribunals on violence against women (see: iawj.org).

After the initial consultation, the IAWJ organised five conferences across the aforementioned regions. Conferences were attended by women judges and designed to deepen the conversation that was initiated in The Hague and to expand the network of GLOW participants. According to program reporting by the Ministry of Foreign Affairs of the Netherlands (a program donor), GLOW participants developed a diverse range of initiatives following these conferences which illustrate the importance of women's organizations not only for strengthening women's leadership, but also for raising awareness and catalyzing action around gender equality. For example, the **Ghana** Chapter of the IAWJ went on to produce a television drama that portrayed how the Ghanaian justice system responded to a case of sexual violence through the lens of the victim/survivor's mother. Another participant from **Nepal** discussed how her experience in the



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program helped her realize the importance of her position as a rural judge and women's advocate, adding that she has since been invited to speak and share her leadership experience at national and international events.

The Ministry of Foreign Affairs of the Netherlands' (2017) evaluation of the GLOW program highlights the Ghana and Nepal chapters' initiatives as illustrations of the program's successful impact on women judge's leadership skills and advocacy for women's rights. While there is no further evidence of the program's impacts on increasing women's representation within the courts (that is, indirect impacts that move beyond program participants), there are several potential impacts that future research should explore: When do women in leadership who pursue advocacy around gender equality issues enjoy greater leadership opportunities as a consequence of their advocacy? How does public advocacy on gender equality issues by women leaders positively impact norms and stereotypes around women's roles? And lastly, might the Ghana and Nepal advocate's more public advocacy, as a consequence of the GLOW program, motivate future generations to pursue leadership in law?

## Expanding Women's Access to Services

### **Does women's leadership in the design and provision of legal and financial services expand women's access to those services?**

- Overall, there is strong evidence that women's leadership in the design and provision of legal and financial services supports women's access to these services. This is most evident in research around women judges and paralegals, which finds that women may feel more comfortable seeking legal services from fellow women on sensitive topics, such as gender-based violence, or feel empowered by witnessing women's leadership, as is often the case with women paralegals working on women's land rights.
- However, this relationship depends on certain enabling conditions. For example, research on women loan officers for microfinance programs indicates that women leaders' ability to augment women's access to services depends on cultural contexts and public perceptions concerning the profession's authority (e.g. some contexts do not respect paralegals as an authoritative leadership position) and women's authority (e.g., women loan officers who are viewed as 'motherly' may lack the authority to induce loan repayments).

Evidence from the literature on women working in formal and informal justice systems<sup>14</sup>, and evidence from leadership programming by non-government organizations (NGOs) working in financial inclusion, indicates that women's leadership in the design and

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<sup>14</sup> While informal justice systems have become an increasingly important subject of interest for policymakers and advocates concerned with rule of law and access to justice, there is no single definition or division between formal and informal justice systems. With that said, when discussing "formal justice systems" the literature generally refers to a state's legal institutions/judiciary. When discussing "informal justice systems" the literature generally refers to systems that may have formal state recognition but are not state institutions or established by law in and of themselves. This includes alternative dispute resolution mechanisms at the community level, legal assistance by "neutral third parties" (such as paralegals), and customary or local courts. For more on informal justice systems and their significance for women's rights, see UNDP (2015).

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provision of legal and financial services can expand women's access to these essential services. For example, the International Development Law Organization (IDLO) 2018 summary of the evidence found that women legal professionals support women's access to, and experiences with, the justice system in four key areas:

1. Anecdotal evidence on gender-balanced courtrooms indicates that the presence of women can help make court hearings of gender-based crimes less distressing or traumatizing for women and girls, as women judges and lawyers can help to combat discriminatory attitudes towards survivors;
2. A growing list of women judges are working towards holistic justice solutions<sup>15</sup>, such as specialized centers for survivors of violence in **Ghana** and **Argentina**, or courtrooms that allow child victims of violence to testify through live video in Delhi, **India**;
3. Similarly, there are increasing examples of how women judges are taking the initiative to make court environments more accommodating for women, for example, by prioritizing cases where women have babies or young children; and lastly,
4. Although more difficult to measure, in gender-segregated contexts, the presence of women justice professionals can be empowering to women victims.

A significant body of evidence also demonstrates that women paralegals are important facilitators for women's access to justice, including in situations concerning gender discrimination, which women may otherwise be more wary or unable to discuss with men due to cultural barriers (UN Women, 2016; Namati, 2016). Paralegals are trained in the basics of law (which may or may not include the completion of professional legal studies), yet are generally more accessible to the public given their lower costs and embeddedness in local socio-cultural contexts. And while not leadership positions in the sense discussed in this review, women paralegals in the Global South can have a significant potential sphere of influence on women's everyday lives at the community level, which should not be obscured by the broader focus on high-level leadership positions (see for e.g., Levine 2020a).

In **Nepal**, for example, the UNDP, UN Women, and local partners are acting upon this body of evidence and investing in women paralegal committees as a means to combat gender-based violence in remote communities. Program feedback illustrated that women paralegals were able to build strong community trust as well as "change perceptions of justice in their communities" (UN Women, 2011b). Research from similar initiatives in **Tanzania**, **Indonesia**, and **India** mirror these findings, illustrating the importance of women paralegals for overcoming the challenges of formal justice systems, such as exposure to gender-based discrimination when filing complaints at local police stations, or drafting witness statements. (UN Women, 2013; Bond, 2018; Hartanto, 2018). Research from **Myanmar** and **Tanzania** likewise shows that "women paralegals can be powerful catalysts for women's empowerment and furthering women's access to formal land rights." (Namati, 2016; Dancer, 2018). For example, women clients of Namati's land rights initiatives in Myanmar report that "working with a female paralegal and seeing

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<sup>15</sup> "Holistic justice" refers to "client-centered" approaches to legal services and processes, meaning the inclusion of various services (such as psychological and medical attention along with legal assistance) or processes that improve access to justice (such as child-friendly courtroom policies) (IDLO, 2018).

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these women take on non-traditional gender roles has helped them stand up for their own rights.” To this point, the literature highlights the role of paralegals as community leaders and their capacity to not only improve women’s access to services, but also to challenge harmful gender norms, a point which is elaborated in a forthcoming section (UN Women, 2013; Bond, 2018; Hartanto, 2018).

However, the existing literature also highlights the barriers women service-providers face in male-dominated sectors. Research from Tanzania indicates that, while women paralegals play an important leadership role in catalyzing women’s empowerment in the struggle for land rights, negative perceptions of paralegals’ authority, coupled with patriarchal gender norms that further question women’s authority, create obstacles for women paralegal’s to effectively expand women’s access to justice (Dancer, 2018).

Studies on loan officers—which, like paralegals, can be tangentially viewed as leadership positions given their impact on service access (while generally being more accessible leadership positions when compared to, for example, judges or economists)—mirror these findings. There is evidence that female clients in **Jordan, Pakistan, and South Asia** prefer female loan officers to men, “especially in credit programmes that incorporate education in gender equality and reproductive health”—so much so that such findings have prompted microfinance programs to seek out women’s leadership in their design and implementation (Siwale, 2016). However, research from **Zambia** and **Mexico** highlights that this preference is dependent on several conditions.

In Zambia, Siwale’s (2016) research shows how conflicting gender norms, coupled with limited family-friendly work policies, have created significant barriers to women’s success as loan officers, as evidenced in their declining rates. In particular, Siwale’s research reveals that loan officers must illustrate strong authority, especially in contexts with “poor credit culture and loan delinquency.” Yet, women loan officers were often expected to be submissive and motherly, and “their authority publicly was challenged whenever they were regarded as breaking unspoken and implied femininity rules.” Likewise, Van Den Berg et al’s (2015) research in Mexico highlights that while both men and women loan officers play an important role in improving repayment rates in microfinance, male loan officers may be better able to induce repayment due to their ability to exert authority and their greater mobility options, among other factors.

Thus, for women service providers to effectively support women’s access to legal and financial services, certain societal and institutional conditions must first be met. While the research on such conditions remains patchy, the available evidence indicates that it is important for the profession in question to be respected, and for communities to accept women’s authority in that profession, as well.

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## Box 8: Women's World Banking leadership trainings on financial inclusion in the Global South

Financial inclusion initiatives are increasingly supporting women's leadership as a means to expand women's access to essential services. Women's World Banking (WWB), for example, has developed a series of leadership programs in coordination with the University of Pennsylvania's Wharton School of Business, aimed at improving leadership diversity while also expanding women's access to financial services.

These include a leadership program pairing "high-potential women leaders" (with mid-level professional experience) with a senior executive from a financial institution or FinTech company from an emerging market country to (a) identify a business challenge related to serving the women's market while (b) "charting a path for more diverse leadership within the institution." Another program shares this same methodology, but instead pairs selected women leaders with leadership from central banks and other regulatory bodies. The latter program's 2019 cohort included a diverse representation of professionals, including **Egypt's** Central Bank, **Indonesia's** Executive Office of the President, and **Madagascar's** Ministry of Finance and Budgeting (WWB, 2019).

Although there is no available evidence evaluating the WWB's leadership program's impact, its description highlights several best practices in the literature on women's leadership in economics. First, there is a strong body of research on the positive impact of pairing leadership training with mentorship, including evidence from **Asia and the Pacific** showing that "mentoring can have the greatest impact when women are matched with a mentor who extends their legitimacy and power, or who is tapped into influential networks" (Howard et al, 2020). Additionally, the program's focus on "charting a path for more diverse leadership within the institution" indicates the potential for institutional reforms that may further augment women's leadership opportunities, an important recognition that the lack of women in leadership is not merely an individual capacity problem (Agunsoye, 2020). Lastly, the program leverages women leader's perspectives for increasing women's access to financial services, which the literature shows is a valuable effect of having more women in influential leadership positions.

## Legitimacy of Institutions

### Do women leaders in law and economics improve perceptions around institutions' legitimacy?

- There is a substantial although contested body of mostly theoretical literature questioning the relationship between leadership diversity, representation, and legitimacy. While some argue that the more representative an institution is of the public, the more likely the public will trust in the legitimacy of said institution, others caution that empirical evidence proving this relationship remains sparse.
- Some research on the diversity of judiciaries does indicate a positive relationship between representativeness and legitimacy, however this relationship remains

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dependent on complex social, cultural, and economic conditions, including, for example, discriminatory gender norms that view women as “unfit” for leadership.

- With that said, this evidence base is significantly biased towards experiences in the Global North, and primarily focuses on trust in judiciaries and policymakers. More evidence is needed elucidating experiences in the Global South, and the conditions that allow women’s leadership to positively impact perceptions of institutions’ legitimacy.

There is a significant albeit contested body of literature around leadership diversity, representation, and legitimacy among state institutions, including an ongoing debate around the impact of diversity within judiciaries and policy institutions (the literature is far more sparse when it comes to gender diversity among economists and institutional legitimacy) (Dawuni, 2016a; IDLO, 2018). Essentialists posit that diversity among public institutions is central to ensuring the representativeness of the communities that institutions serve, and that representation ensures the public’s trust in the legitimacy of the institution at large (Grossman 2012; Kenney, 2019). Furthermore, research from Davis (1992) and Kenney (2013) found that the mere presence of justices with diverse characteristics on a court improved the public’s impression that multiple perspectives were being incorporated into decisions.

Based on this logic, many have argued that women’s representation in leadership positions, including but not limited to judges, is critical for upholding the legitimacy of the institution. For example, analyzing an original data set of women’s representation in the highest constitutional courts across 50 democracies, Valadini & Shortell (2016) argue that, even if “the vast majority of citizens may not care if there are women justices on the highest court, some of these citizens nonetheless reward the appointment of a woman because of what her presence on the court symbolizes.”

However, some literature suggests that the relationship between women’s leadership and institutional legitimacy depends on context, and in particular, broader gender norms. For example, using international survey data to compare country experiences, Ingelhart and Norris (2003) suggest that gender quotas may in fact decrease institutional legitimacy by “violating voters’ sense of identity” (Beaman et al, 2009: 2; Ingelhart & Norris, 2003: 154). Some researchers have also found that the “feminization” of certain sectors may lead to reduced prestige and respect for a profession, as has been the case for French magistrates (Cacouault-Bitaud, 2001). Interestingly, this study also shows that the majority of French magistrate positions are now held by women. According to the study, this is not due to targeted gender initiatives but rather to the financial stability of government jobs. Meanwhile, unlike their female counterparts, men within the same context sought the higher potential for profits in private counsel, which generates further questions about whether women’s leadership initiatives in certain sectors has the potential to exacerbate, rather than reduce, economic inequality along gender lines.

While the impact of women’s leadership on the broader public trust in institutions remains an understudied area, there is a growing body of research around trust in women and the legitimacy of their leadership positions. For example, in seeking to explain why the

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gender gap across a range of professional leadership positions persists, Vial et al (2015) illustrate how women become trapped in a “self-reinforcing cycle of illegitimacy.” As women are told they are unfit to lead, they may internalize these sentiments, “trigger[ing] a precarious psychological state for female leaders.” As such, not only do women face external resistance to their leadership as peers may doubt their capacity as women, but they also face internal insecurities as well. This fosters ineffective leadership behavior, which consequently serves to further reinforce perceptions of gender inequalities (Vial et al, 2015). This may be especially concerning for women economists in leadership positions, given that this male-dominated field has historically questioned the legitimacy of women economists and feminist economists, in particular (Becchio, 2019).

As elaborated upon in the forthcoming section, patriarchal backlash and perceptions of women’s leadership as illegitimate is unfortunately common when women begin to move into positions of power, not least because these changes are seen as violating the rules about what and where women can and ‘should’ be (Berry et al, 2020). Research also warns that outsider influence in shaping gender equality agendas may exacerbate risks of backlash, particularly “when international agendas are identified with western/northern cultural norms that are seen to be at odds with local customs” (Domingo et al, 2015). As such, in order to strengthen the legitimacy of institutions, it is important that positions of power not only reflect and represent the diversity of local communities, but that demands for such diversity are driven by indigenous sources—and, especially in the case of demands for greater gender diversity and representation, by women’s rights stakeholders from the grassroots up to the state level.<sup>16</sup>

## Transforming Gender Norms

### **Do women leaders in law and economics contribute to the transformation of broader institutional gender norms?**

- Although tracking clear trajectories of change between women’s leadership and broader gender equality gains is a methodologically complex task, available evidence indicates that women’s leadership can have a significant impact on gender norm transformation.
- In particular, the evidence indicates that (a) exposure to women colleagues as well as women in leadership helps colleagues and the broader public to shift biases and adopt more egalitarian attitudes, (b) women in leadership positions in male dominated industries, especially more publicly visible positions, help inspire younger generations to pursue similar careers, and (c) compensation for promotions to leadership positions may reduce household economic inequality, thus challenging discriminatory gender norms at the household level.
- What is most evident in the literature is that norms change largely relies on the work of local and national women’s movements. Instead of an instrumentalist approach

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<sup>16</sup> For additional research and commentary on the importance of indigenous advocacy and women’s movements for advancing women’s rights and gender equality, see Mama Cash’s brief: “Investing well in the right places: why fund women’s funds” (2015), available at: [https://www.mamacash.org/media/publications/mama\\_cash-why\\_womens\\_funds\\_feb\\_2015\\_final.pdf](https://www.mamacash.org/media/publications/mama_cash-why_womens_funds_feb_2015_final.pdf)



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to women's leadership, more coalition-based funding is needed, for example, to support women's associations.

- Furthermore, while leadership programs must be cautious about potential negative unintended consequences, more research is needed on what particular conditions provoke or prevent backlash.

Women's leadership, in and of itself, poses a **challenge** to dominant gender norms throughout much of the world. However, do women in professional leadership positions, particularly in law and economics, also contribute to the **transformation** of gender norms amongst peers, institutions and organizations, or broader society? Recognizing that different modes of leadership, and overlapping initiatives trying to bolster leadership, makes tracking clear trajectories of change between women leaders and broader gender equality gains difficult, there is nonetheless a notable lack of research that seeks to connect women's professional leadership with gender norms change (Domingo et al, 2015). This section provides examples from the literature on where women's leadership may influence gender norms change, as well as where leadership may produce the opposite effect, in the form of patriarchal backlashes.

Evidence on the impact of a quota policy in the state of West Bengal, **India** found that women in village leadership roles may help to reduce bias (Beaman et al, 2009). Starting in 1988, this policy mandates that one third of village council leader positions must be held by women. Although this study focuses on political leadership rather than professional leadership, its findings are relevant to understanding exposure and bias. Specifically, the study found that while exposure to women village leaders may not alter preference for male leaders, it does "weaken stereotypes about gender roles in the public and domestic spheres and eliminates the negative bias in how female leaders' **effectiveness** is perceived among male villagers" (emphasis added). Furthermore, the study found that a decade after the quota policy was initiated, "women [were] more likely to stand for and win free seats in villages that have been continuously required to have a female chief councilor". Additional research from Norway also shows that men in male-dominated fields (here, specifically the military) begin to have more egalitarian attitudes after living and working with women for 8 weeks (Dahl et al, 2018).

Additionally, qualitative research indicates that when women hold leadership positions in male-dominated industries, especially publicly visible positions such as professors and deans in the field of academia, and judges in the field of law, they challenge gender norms around what a woman "can" do, and in doing so, can help inspire younger generations to pursue these careers (IDLO, 2018). Analysis of the barriers to women's leadership has consistently highlighted the lack of female mentors in male-dominated professions, and economics in particular, as a central barrier to female students' interest or success in those fields (Porter & Serra, 2020; Avilova & Goldin, 2018). Furthermore, Beaman et al's (2012) randomized natural experiment in **India** found that women's leadership in village councils significantly influences adolescent girls' career aspirations and educational attainment. Based on 8,453 surveys of adolescents aged 11 to 15, as well as their parents, the study found that the gender gap in aspirations closed by 20% in

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parents and 32% in adolescents in villages with a female leader for two election cycles, compared to their peers in villages without a female leader. Additionally, the gender gap in adolescent educational attainment was erased, and girls spent less time on household chores (Beaman et al, 2012).

When women rise to middle- or senior-level leadership positions they also enjoy greater economic gains, which in turn contribute to reductions in broader gender wage gaps. A robust evidence base shows that such economic gains can help transform decision-making power dynamics around household decisions, including (in some cases) reduced risk of gender-based violence (Domingo et al, 2015; UN Women, 2019).

The literature is also clear on the important role of women's organizations, including both professional associations and grassroots movements, for challenging gender norms. Indigenous, community-level movements are key stakeholders for understanding local contexts and fostering the social conditions necessary for gender equality gains. For example, Kang & Tripp's (2018) analysis of data from 50 **African** countries found that legislative reform on women's rights was significantly less likely without action by local women's coalitions. Meanwhile, women's associations, as elaborated in previous sections, are critical for advancing women's leadership within particular professions. While more research is needed to explore the relationship between women's professional associations and grassroots movements, and when and how such groups may work together to impact gender norms, there is a strong and growing body of research on the need for more coalition-based funding more generally to support gender equality, rather than narrow, instrumentalist approach to women's rights and leadership (Girard, 2019; Domingo et al, 2015).

As discussed in the previous sections on gender parity policies, the literature is also clear about the risk of patriarchal backlash when women take on leadership positions in otherwise male-dominated industries, because of the challenge to traditional gender norms these changes represent (Berry et al, 2020; Domingo et al, 2015). In such cases, negative responses to women in leadership may appear to counter the positive normative outcomes discussed above. It is worth noting, however, that studies on patriarchal backlash to women's leadership have centered primarily around political leadership, and focused on short-term rather than long-term gender dynamics. The evidence reviewed thus far indicates the need for further research on the enabling—and indeed, preventative—conditions for patriarchal backlash within different professions, as well as in distinct cultural, political, and economic contexts. Nonetheless, at least on one point the literature is clear: “women's activism is more likely to be successful and sustained when it grows organically out of local passion, rather than being instigated by external actors, which can engender backlash” (Domingo et al, 2015).



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## Conclusion

Women continue to be underrepresented in leadership roles across diverse cultural and geographic contexts. This has become especially clear—and consequential—in the influential fields of law and economics. This scoping review sought to explore what is being done to respond to this stalled progress, with a specific interest in experiences from the Global South, asking: a) What are the main barriers for women to enter and advance in their professional careers and, ultimately, to ascend to leadership positions? b) What are effective strategies for advancing women’s leadership in these fields? And, c) where is further research needed?

Most present in this literature review was the significant role of women’s organizations, including women’s associations and grassroots movements, for advancing women’s professional leadership in law and economics. Local women’s organizations are key partners and sites for intervention, given their deeper experience in challenging gender norms, and advocacy around state accountability and gender equality goals. Close coordination and investment in local women’s organizations is also critical for managing risks of gender backlash and creating the enabling environments needed to ensure institutional changes endure. Yet, while ample data shows that the most effective way to advance gender equality is to invest directly in women’s organizations, they remain chronically under-resourced—often only provided with short-term funding—not least in the Global South.<sup>17</sup>

Relatedly, effective interventions to advance women’s professional leadership in law and economics are context-specific and holistic. That is, effective initiatives require a thorough context analysis in order to identify where women are facing disadvantages in their professional trajectories, and the extent to which barriers to women’s entry, retention, and advancement to professional leadership positions are grounded in dynamics specific to the particular region, country, institution, and/ or professional context. Additionally, in order to accelerate women’s leadership in law and economics, multiple levels of change must be activated: targets from the public and private sector via gender parity policies that promote accountability to gender equality; networking and training opportunities that prepare women for the challenges they will likely face in seeking leadership in male-dominated professional fields; and systems reforms that tackles institutionalized sexism and thus ensures that women have equal opportunities in practice, not just in theory.

Lastly, the literature analyzed in this scoping review highlighted the need for more flexible measurement practices.<sup>18</sup> Given the often overlapping nature of different women’s leadership interventions, along with the diversity of factors that influence the pipeline to professional leadership, it is methodologically challenging (or arguably, at times impossible) to measure any single interventions’ isolated impact. While this scoping review highlights the need to address significant evidence gaps in the literature around women’s professional leadership in law and economics, the literature also highlights the importance of more flexible measurement practices that better capture the impact of different strategies for advancing women’s leadership.

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<sup>17</sup> See Girard, F. (2019) Philanthropy for the Women’s Movement, Not Just ‘Empowerment’ [https://ssir.org/articles/entry/philanthropy\\_for\\_the\\_womens\\_movement\\_not\\_just\\_empowerment](https://ssir.org/articles/entry/philanthropy_for_the_womens_movement_not_just_empowerment)

<sup>18</sup> For more on the topic of relevant methods for gender equality research, see de Haan, Dowie, and Mariara (2020).

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While taking a rights-based approach to women's leadership as its starting point, this scoping review also explored the existing evidence base connecting women's leadership to institutional and normative outcomes. Tracking clear trajectories of change between women's representation in law and economics with broader institutional and normative outcomes is a methodologically complex task. Yet, by triangulating evidence from different literatures, this review highlights a connection between women's leadership and gender equality advocacy, women's increased access to services, and the transformation of broader gender norms. On the other hand, evidence around women's professional leadership and the legitimacy of institutions (that is, perceptions of trust and respect in institutions and their authority) is more mixed.

Rather than investing time and energy trying to "prove" that women's leadership produces knock-on benefits for others and for the wider society, it is pertinent to recall, again, that women's ability to meaningfully participate in governance, policymaking, and public life on equal terms to men is a basic human right—one that is inscribed in foundational conventions and increasingly reflected in a host of other international agreements and development platforms. And while further research is needed to address the evidence gaps highlighted in this review, there is sufficient evidence that investments in this space would do well to bolster the work of local women's organizations, including women's professional associations in law and economics, and support them in sharing learning around effective, localized, and long-term strategies for improving women's access to leadership in these domains.

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