Politics & Gender, 17 (2021), 696–719.

Breaking and Entering: State-Level Recognition of Women as Lawyers

Heather Perretta

Manhattanville College

Research on state-level suffrage associations points to women's greater participation in the public sphere — higher education, the professions, and civic organizations — as a significant predictor of a state's suffrage association succeeding in securing woman suffrage prior to passage of the Nineteenth Amendment. This finding raises the question of how women gained access to those areas of public life that had formal barriers to entry — higher education and the professions. Specifically, did women's participation in civic organizations play a role in helping women gain access to these areas of the public realm? Using event history analysis, this study explores the role of the Literary Club movement and the Suffrage movement in influencing a state's policy regarding women's right to practice law. I employ the concept of institutional logics to argue that Clubwomen and Suffragists exploited contradictions in the logics of traditional gender roles and of the American political system to press for expanded opportunities for women in the public realm. Their success in these efforts, however, was influenced by their organizations' deference to the dictates of traditional gender roles.

Keywords: Institutional logics, state suffrage associations, state-level Literary Clubs, political conflict

In 1839, Mississippi passed the first Married Women's Property Act, which began the process of allowing married women to enjoy a legal existence that was separate from their husbands. Over the next 80 years, the rights of all women gradually expanded to include the rights to enter into contracts, to control property, to earn and control wages, and, eventually, to vote. In addition, women's access to the public sphere expanded during this period. Women gained entrance into higher education and the professions of medicine and law. Not surprisingly, this period of history is noteworthy for women's increased participation in

Published by Cambridge University Press 1743-923X/20 $30.00 for The Women and Politics Research Section of the American Political Science Association.

doi:10.1017/S1743923X19000837

civic organizations, including the Woman's Christian Temperance Union, the Social Purity movement, the Literary Club movement, and the Suffrage movement. In their research on state suffrage movements and the ability of these movements to secure state-level voting rights, McCammon and Campbell (2001) and McCammon et al. (2001) found that greater participation in the public sphere by women — their enrollment in colleges and universities, their presence in the professions, and their engagement with civic organization — improved the likelihood that suffrage movements would secure voting rights. But this raises the question as to how women gained access to those areas of the public sphere that had formal barriers to entrance — higher education and the professions. Did women's participation in civic organizations play a role in helping women gain access to these other areas of the public sphere?

Women's admission to higher education has been explored in other research (Chamberlain 1988; Solomon 1986). Their entry into the professions has also received scholarly attention, with an emphasis on pioneering women doctors (Campbell and McCammon 2005; Walsh 1977). Previous research has explored variables that influenced women's entry into the profession of medicine (Abram 1985; Campbell and McCammon 2005; Walsh 1977). Yet a review of the literature on pioneering women lawyers reveals no systematic attempt to understand the variables that hastened the timing of women's admission to law.

The period of women's entrance into the profession of law in the United States (1869–1923) overlapped with the organizing activities of two prominent women's organizations: the Literary Club movement and the Suffrage movement. The two national organizations of the Suffrage movement, the American Woman Suffrage Association (AWSA) and the National Woman Suffrage Association (NWSA), were established in 1869, while the rapid growth in Literary Clubs began in 1868. Although prior research has shown that the Suffrage movement benefited from women's entrance into the public sphere, it seems unlikely that the suffragists watched this expansion occur from the sidelines (McCammon and Campbell 2001; McCammon et al. 2001). Indeed, the literature on women's entry into medicine provides evidence to suggest that both Literary Clubwomen and suffragists supported the efforts of pioneering women doctors (Campbell and McCammon 2005; Walsh 1977).

This study examines the variables that influenced the timing of a state's decision to admit women to the profession of law, with an emphasis on the role played by early women's organizations. I employ neo-institutional

theory to explore how the dominant institutions in society (e.g., the state, family structure, economic and political systems) can both constrain activists' behaviors to conform to institutional prescriptions of appropriateness yet also create opportunities for activists to redefine societal beliefs about appropriate roles or spheres. Specifically, the construct of institutional logics is used to explore both the changes and stubbornness of beliefs regarding women's proper sphere. Institutional logics are defined as "the socially constructed, historical patterns of material practices, assumptions, values, beliefs and rules by which individuals produce and reproduce their material subsistence, organize time and space, and provide meaning to their social reality" (Thornton and Ocasio 1999, 804). The dominant institutions in society offer their own distinct logics, and when these logics come into conflict with one another, struggle will erupt over which logic should govern which activity.

Using discrete-time event history analysis, I argue that Clubwomen and suffragists successfully seized on the conflict between the logic of the American political system (i.e., self-determination, freedom) and the logic of gender roles (i.e., coverture) to alter traditional beliefs about women's proper sphere. The results show that their successes were influenced by the Clubwomen's and suffragists' conformity to traditional prescriptions of appropriate behaviors for women.

The following section provides an overview of women's early organizing efforts and the tactics employed by various associations. This is followed by a review of the literature on institutional logics and how logics both helped and hindered women's organizations. Based on this review, I derive a series of hypotheses. The fourth section describes the measurement and analytic approach used to test these hypotheses, while the fifth section presents the results of the analysis. The final section discusses the implications of the findings.

HISTORICAL BACKGROUND

The Industrial Revolution profoundly influenced gender roles in the nineteenth and twentieth centuries. Increased individual wealth resulted in a domestic division of labor in which the ideal husband earned an income to provide for his family, while the ideal wife devoted herself to domestic tasks and child-rearing (Clinton 1999; Mintz and Kellogg 1988). Domestic tasks were then circumscribed by factory production of goods and by an affordable supply of domestic servants, in the form of

immigrant women. Increasingly, women's time was taken up with a new ideal known as *ladydom*, wherein the perfect woman came to be one who was "pious, pure, domestic and submissive" (Welter 1966). "The ideal wife and mother … was expected to run an efficient household, provide a cultured atmosphere within the home, rear moral sons and daughters, display social grace on public occasions, and offer her husband emotional support" (Mintz and Kellogg 1988, 53). Furthermore, women's purity required protection from the corruption of the public realm, so that they might maintain the moral fabric that held the family together. This ideal consigned women to the home, and while many women strove to meet its prescriptions, others chafed under such "oppressive domesticity" (O'Neill 1971).

While ladydom encouraged women's dependence on men, this arrangement was untenable for all women. Both the Civil War and the gold rush led to shortages of men in eastern states, thereby creating a burgeoning population of unmarried women. Seen as a financial burden to their families, many women went to work in the newly founded textile mills. The gold rush also affected women in western states. For frontier-bound families, the harsh realities of life precluded strict adherence to the ideals of ladydom, resulting in a more realistic appraisal of women's abilities (Berger-Morello 1986; Clinton 1999).

The justification for women's confinement to the home — preservation of their high moral standards — had the unintended effect of serving as a loophole through which women first ventured into the public realm. Early women activists organized around religious pursuits, such as the Social Purity movement and the Woman's Christian Temperance Union, which sought to stamp out prostitution, alcoholism, and improve living conditions in city ghettos (Clinton 1999). Early women activists argued that "if the morality of the home was to be protected from outside forces which threatened it, then those who stood for that morality must go outside the home to ensure that their morality prevailed in the world at large" (Degler 1980, 281). By holding to their subordinate position within the home, these activists expanded their access to the public realm without backlash (Clemens 1997; Matthews-Gardner 2005; Ritter 2000).

Upon initial entry to the public realm, women's organizations pressed for greater opportunities in both employment and education, but often in ways that deferred to traditional gender roles. Educational activism grew out of the Social Purity movement, as activists claimed that education allowed women to become better mothers and wives.

However, ladydom eventually collided with these educational advancements, as educated women were denied full participation in the labor force (Clinton 1999). Seeking a reprieve from domestic confinement, these women joined reform activists to create the earliest Literary Clubs. Clubs provided a forum in which women could voice their issues and concerns to one another (O'Neill 1971). They provided women with avenues for intellectual development, and these Clubwomen pressed for even greater educational opportunities for other young women. For example, Sorosis, a Literary Club founded in New York in 1868, petitioned both Columbia and New York Universities to admit women to their institutions. Clubs also raised funds to provide scholarships and study grants to women who could not afford tuition at one of the women's colleges.

The Literary Club movement expanded rapidly, though membership was often by invitation only (Tetrault 2014). Leadership within the movement saw the need for a national organization, and in 1890, the General Federation of Women's Clubs (GFWC) was formed. Adopting the slogan "Unity in Diversity," the national organization sought to coordinate the efforts of the state federations as they toiled to improve opportunities for women. While disagreements existed within the Club movement — particularly over the GFWC's refusal to admit African American women — the movement was quite united in its acceptance of the ideals of ladydom (Wilson 2011).[1] Clubwomen could secure significant advancements for women, all while upholding women's subordinate status within the home (Blair 1980; Matthews-Gardner 2005; Ritter 2000). Ritter (2000, 350) describes this approach as creating "a public component of equality while retaining a private component of inequality."

The same cannot be said of the Suffrage movement, whose demands for woman suffrage "could not be subsumed under the heading of women's traditional roles. … [Suffrage] promised to open to women a role so traditionally male … that it was totally unacceptable to most Americans" (Degler 1980, 349). The Suffrage movement had its roots in abolition societies and the American Equal Rights Association (AERA). But when talk turned to the enfranchisement of African American men before women, prominent members of the AERA formed the National Woman Suffrage Association in 1869. The NWSA opposed passage of the Fifteenth Amendment, associated with white supremacy, and espoused

1. The GFWC did not admit African American women until 1922 (Wilson 2011).

controversial positions, such as free love and challenges to the institutions of marriage and the church. Many women were alienated by the actions of the NWSA and responded by creating the American Woman Suffrage Association in the same year. The AWSA supported abolitionist causes and passage of the Fifteenth Amendment and accepted traditional societal institutions (Banaszak 1996; Tetrault 2014). This division persisted until 1890, when the two organizations overcame many of their differences and merged to form the National American Woman Suffrage Association (NAWSA). To encourage southern white women to the suffrage cause, the NAWSA refused to advocate for African American civil rights.

While the cause of woman suffrage was considered at odds with traditional notions of women's proper sphere, the tactics employed by the suffragists also drew public condemnation. Suffragists adopted such controversial tactics as public speaking, picketing, having parades, engaging in physical confrontations with authorities, and battling their way into election booths. Suffragists who were jailed for their activities often had to be forced into their cells, where they often broke cell amenities and were subsequently forced into solitary confinement (Clemens 1997; Degler 1980). Both the cause and the tactics of the suffragists were seen as an assault on the dictates of ladydom. For such reasons, Literary Clubwomen refused to endorse woman suffrage until 1914, denounced the ideals and tactics of the suffragists, and were active in forming anti-suffrage organizations.

While the issue of suffrage itself may have influenced organizing strategies, another variable likely played a role in the suffragists' organizing tactics. Ladydom was more of a phenomenon in the industrialized East, while the denial of suffrage was a national issue. The active participation by western women in the Suffrage movement may have facilitated the use of such bold tactics. Clemens (1997, 66) describes western states as "experiment stations": "Theoretical accounts of American political development and commentaries from the turn of the century suggest that processes of political innovation were most pronounced in the more recently settled sections of the nation." Suffrage's relevance to western women may have supported the movement's adoption of brash tactics.

Early in its history, the Suffrage movement also pressed for expanded opportunities for women in both education and employment. This was especially evident in their support for the New England Hospital for Women and Children and its founder, Dr. Marie Zakrzewska.

Publications by the AWSA and NWSA championed the cause of women doctors, celebrated their accomplishments, promoted their services, and took aim at the barriers that stood in the way of women physicians (Cullen-DuPont 2000; Walsh 1977). Literary Clubwomen, notably in the New England Women's Club, were also active supporters of the New England Women's Hospital, with Clubwomen covering many of the expenses incurred by the hospital and serving on its board of directors. As backlash against women physicians began to grow, those associated with the New England Women's Hospital opted for a strategy of quiet, continued diligence. Direct attacks on women's suitability for medicine were ignored in favor of allowing the hospital's results to speak for themselves. Led by Dr. Zakrzewska, early women physicians and their supporters chose to break down barriers to the medical profession "gradually and dignifiedly" (Walsh 1977, 118).

Kraditor (1981) documents a shift in the rationale used by suffragists that shows some convergence with the tactics of the Literary Club movement. Prior to the 1890s, suffragists employed "justice" arguments, similar to those used by the founding fathers against the British Crown, holding that, like men, women had a right to political liberty. During the Progressive Era, as the government assumed more social responsibilities (e.g., child labor laws, safe food, etc.), suffragists transitioned to "expediency" arguments, empahsizing that their special knowledge of social issues could be useful to elected officials pursuing the Progressive cause. As McCammon (2001), McCammon et al. (2001), and Ritter (2000) point out, suffragists' adoption of such separate spheres arguments meshed with traditional gender roles and helped the suffragists secure woman suffrage. In addition, the Suffrage movement transitioned away from some of its more controversial issues that challenged societal institutions (e.g., church, marriage) to focus more exclusively on securing the vote (Tetrault 2014). Thus, we see some rapproachment between the tactics of the Literary Club movement and the suffragists at the end of the 1800s.

This overview of women's organizing efforts provides anecdotal support for the argument that early women's organizations, through careful choice of tactics, played a role in helping women gain admittance to the profession of medicine. However, this study seeks to go beyond anecdotal evidence to test the strength of a potential relationship between women's organizing efforts and women's entry into the profession of law. A theoretical framework that lends itself to an analysis of changes in gendered opportunities is neo-institutional theory.

THEORETICAL BACKGROUND

In their study of the U.S. Suffrage movement, McCammon et al. (2001) argue that "gendered opportunity structures" were instrumental in bringing about success on the part of the suffragists. Specifically, women's greater representation in colleges and universities and the professions of law and medicine, as well as their participation in civic organizations, improved the odds that their state's suffrage movement would secure suffrage prior to passage of the Nineteenth Amendment. In this study, I try to understand how women entered these previously male-only domains. Specifically, I focus on the profession of law and use neo-institutional theory to frame hypotheses about the roles of women's civic organizations.

Early work in neo-institutional theory acknowledges how important it is for organizations to be perceived as legitimate, and the theory examines how organizations alter their practice and procedure to operate in accordance with accepted cultural beliefs (Meyer and Rowan 1977; Ruef and Scott 1998; Thelen 1999). To operationalize legitimacy, researchers detail three components of institutions that determine legitimacy (DiMaggio and Powell 1983; Scott 1995). Specifically, institutions are composed of normative, regulative, and cognitive components; organizations operating within an institutional environment are subject to societal norms, the rules and sanctions of regulative agencies, and the cognitive beliefs and values that underlie both the normative and regulative components (Ruef and Scott 1998; Scott 1995). Research in political science often emphasizes the normative component of institutions in studies of gender, while organization theorists emphasize the regulative component (Thelen 1999). But the cognitive component brings a new perspective on legitimacy. The cognitive component "specif[ies] what types of actors are allowed to exist, what structural features they exhibit, what procedures they can follow, and what meanings are associated with these actions" (Ruef and Scott 1998, 879). Institutional logics provide an approach to operationalizing the cognitive basis of legitimacy. In addition, logics may aid in our understanding of how the legitimacy of a practice can change over time.

To understand how deeply entrenched beliefs and value systems may be supplanted by new systems, one must conceive of the institutional environment as composed of many institutions — the most central of which are conventionally understood to be the state, religion, the family, economic systems, and political systems (Thornton and Ocasio 1999).

Each institution offers its own distinct logic, or generalized set of rules, practices, values, and beliefs, that regulates and organizes different societal spheres and the social relations within these spheres (Townley 1997). Logics may be bound historically, as when new information and/or advances in understanding render the values and beliefs that underlie institutions obsolete. In addition, logics may be bound by location, as conditions in one region may be incompatible with the logics of another region. Such regional bounding of logics may be seen regarding the salience of ladydom in the East, as well as Clemens's (1997) work on the rise of interest group associations.

When the logics of differing institutions contradict each other, political conflict is likely to arise, and political actors will attempt to bring institutional logics into alignment (Friedland and Alford 1991). One such political conflict existed between the American political system and traditional gender roles. Traditional gender roles assigned women a subordinate position to men and thereby deprived them of many rights and privileges (e.g., suffrage and the rights to enter into contracts, own property, control wages, etc.). One who accepts traditional gender roles would argue that rights are of little importance to women who had husbands on whom they could depend. Yet many women, particularly in the East, remained unmarried and worked outside the home. These women paid taxes to and were subject to the laws of a government in which they had no voice and no one to represent their interests. Ladydom further sought to confine women to the home to protect their moral superiority, leaving women with no opportunity in the public realm. While western women may have been valued for their productive contributions to the home, they were still valued for their submission to men. This lack of rights and opportunities that sprang from traditional gender roles stood in stark contrast to the logic of the American political system — a system that had been created in response to the injustices of the British Crown — that American citizens would not be subject to the laws of a government in which they had no voice or representation.

Both the Literary Club movement and the Suffrage movement sought to extend the logic of the American political system to gender roles, though to different degrees. Literary Clubs accepted the notion of women's proper sphere, but they sought to elevate women's position and responsibilities within this sphere through expanded educational and employment opportunities. The Suffrage movement initially sought to extend the logic of the political system to govern women and men in their relations to each other both in the home and in the public sphere, thereby

dismantling the separate spheres. Over time, leaders in the Suffrage movement saw the benefits of accepting the notion of separate spheres and used it to argue that voting rights for women would allow women to bring their expertise on social issues to bear (Kraditor 1981).

In addition to spawning political conflict, institutional logics inform appropriate organizing tactics (Chappell 2006; Lowndes 2014; Waylen 2009). Specifically, the early dominance of Literary Clubs in the East, and their use of nonconfrontational tactics, shows great deference to eastern notions of ladydom. Literary Clubwomen issued requests in the name of family, brandished their moral superiority, then stepped back and let their dignified behavior and sheer number impart the seriousness of their message. "This politics of oblique infiltration … eventually produced changes … while at the same time inscribing women's traditional family role in new social policies and state agencies" (Clemens 1997, 45).

Suffrage associations were distributed more evenly throughout the nation, as western suffragists were more concerned with attaining rights than with acting in accordance with the dictates of ladydom. Clemens (1997) notes that the opportunities for political rearrangements and innovations were more pronounced in the frontier states. Along with eastern women who were willing to brave condemnation, suffragists employed direct-confrontation tactics that could not be ignored. The actual goal of the Suffrage movement — full citizenship rights for women — could not be reconciled with traditional gender roles. Therefore, suffragists initially tied their struggle to secure the vote with the struggle to actively dismantle the notion of separate spheres. Through political developments (Progressive Era) and experience with agitation, leaders in the Suffrage movement came to see the wisdom of deferring to traditional gender roles and invoking this institution to press for woman suffrage.

Through the organizing efforts of Literary Clubs and suffrage associations, issues of importance to women were introduced into the public sphere. Within the public sphere, both organizations drew attention to the conflict between the logic of the American political system and the logic of traditional gender roles. Clubwomen accepted the notion of separate spheres within the home, yet they sought to expand women's role in the public realm through access to education and employment. Suffragists chafed under the restrictions of traditional gender roles and sought to apply the logic of the political system to women in both the public and private sphere. However, political developments (e.g., the Progressive Era) and backlash against some of the Suffrage movement's more controversial stances eventually led the

suffragists to accept separate spheres, as it proved expedient in pressing for woman suffrage. The earlier that Literary Clubs and suffrage associations were founded in each state, the earlier that reforms in women's rights — specifically, their access to the professions — would be effected.

***H*$_1$:** States with an early founding year for their first Literary Club will more readily admit women to the profession of law.

***H*$_2$:** States with an early founding year for their first suffrage association will more readily admit women to the profession of law.

Regional differences in assessments of women's abilities and the consistency between the reforms endorsed and women's traditional gender roles may translate into differences in the effectiveness of organizing tactics (Chappell 2006; Lowndes 2014). Literary Clubs, with their moderate tactics grounded in the notion of separate spheres, likely had greater appeal among women and men in eastern states than among those in western states. The confrontational tactics of suffrage associations may have resonated with women in western states, as opposed to women in eastern states.

***H*$_{3a}$:** Eastern states with an early founding year for their first Literary Club will more readily admit women to the profession of law than western states with an early founding year for their first Literary Club.

***H*$_{3b}$:** Western states with an early founding year for their first suffrage association will more readily admit women to the profession of law than eastern states with an early founding year for their first suffrage association.

DATA, MEASURES, AND METHOD

The data used in this study come from a variety of sources. The year that each state first recognized women's right to practice law comes from the Stanford Legal History Project (Sleeth 1997). Data on the formation of Literary Clubs come from *The History of the General Federation of Women's Clubs* (Wood 1912). Data on suffrage associations come from *The History of Woman Suffrage* and represents the formation of the first suffrage association, whether AWSA or NWSA (Stanton, Anthony, and Gage 1902).[2] These data are presented in the appendix. The remaining state-level data used for this study are taken from the U.S. Census Bureau. Data were collected for the period of 1860 through 1925 for the

2. The launch of suffrage movement within a state was usually precipitated by the organization of a state suffrage association (McCammon 2001).

https://doi.org/10.1017/S1743923X19000837 Published online by Cambridge University Press

48 contiguous states.[3] This period was chosen to capture each state's formal recognition of women lawyers. However, several states do suffer from left censoring. States do not enter the analysis until the Census Bureau recognizes them as a territory. Oklahoma is the last state to enter the analysis in 1890.

While data on state recognition of women lawyers and the formation of Literary Clubs and suffrage associations identify specific years, state-level data from the U.S. Census Bureau are only collected in 10-year intervals. To take advantage of the specificity of the non–Census Bureau data, the data in this study are recorded in five-year intervals, with years ending with 5 computed as the average of the preceding and the following censuses (e.g., 1875 figures represent the average of 1870 and 1880 figures).

The dependent variable in this study is the year in which each state first recognized a woman lawyer. While the actual outcomes making up this measure differ, this variable is analyzed as a single event.[4] *Year of first woman lawyer* is coded as 0 in time periods prior to formal recognition and 1 for the period that corresponds to or immediately follows the year that the first woman was admitted to the profession, after which the state drops from the analysis. Among the independent variables, both *year of Literary Club formation* and *year of suffrage association formation* are coded 0 in the time periods leading up to their founding years and 1 for the time period corresponding to or immediately following the founding year and all subsequent time periods.

Recording founding years in this manner poses a problem, however. Tracking the founding years of women's organizations in this manner has the unintended effect of presenting the data so that the effect of Literary Club/suffrage association formation at time t is the same as the effect at time $t + 1$, $t + 2$, etc. Therefore, this study proposes that the effects of these women's organizations differ according to when an organization was founded. To address this, two additional variables were generated. The *number of time periods that a Literary Club/suffrage association was in existence* records the founding year and subsequent years so that the effect of Literary Club/suffrage association formation increases over time (i.e., a Literary Club founded at time t is coded 1 for that period, coded 2 for time $t + 2$, coded 3 for time $t + 3$, etc.). Finally, a dummy variable to distinguish between eastern and western states is

3. Alaska and Hawaii have been omitted from this study as there is little data available for these states.

4. The outcomes that constitute *year of first woman lawyer* include year of admission to the state bar association; year in which the bar exam was passed; or year in which the first woman graduated from a state's law school.

recorded. The Census Bureau employs an east/west division based on a state's location relative to the Mississippi River. All states lying east of the river are coded 1, while all states lying west of the river are coded 0.

This study controls for several state-level variables that may influence the timing of a state's decision to admit women to the profession of law. Industrialization gave rise to traditional gender roles, yet it also brought an increasing number of single women into the paid labor force. Using the Census Bureau's measure for the number of manufacturing organizations, *industrialization* is measured as the log of the number of such establishments within each state.[5] The *ratio of women to men* within each state is included as a control variable to separate the effects of women's early organizing efforts from the effects of shortages/overpopulations of men and women on the timing of a state's formal recognition of women as lawyers. Census Bureau figures for population were used to construct a gender ratio, indicating the number of women per 100 men. Just as shortages of men afforded women the opportunity to work in factories, a shortage of lawyers may influence the timing of a state's decision to admit women to the profession. Furthermore, a high concentration of lawyers within a state may create heightened resistance to women's admittance. The *ratio of lawyers to persons* is included in study to control for such effects.

Finally, a measure of the percentage of each state's *foreign-born population* is included in this study. As the immigrant population increased, women found themselves pushed out of work and back into the home. Immigrant workers also took positions as domestic servants, thereby freeing women from responsibilities that kept them confined to the home. A higher population of foreign-born workers within a state may increase the likelihood of women participating either Literary Clubs or suffrage associations.

The construction of the data set strongly suggests the use of discrete-time models for event history analysis. Such models are recommended when time is measured in very large units, such as months or years (Allison 1984). An additional consideration for using discrete-time models is the existence of many ties in the data. Events are considered tied when two or more subjects in the sample experience the same event at the same time (Yamaguchi 1991). The data set in the current study is

5. Between 1900 and 1910, the Census Bureau's definition of manufacturing establishments changed. However, the autocorrelation across the number of manufacturing establishments in 1900 and 1900 is 0.99.

characterized by both large time units (e.g., five years) and the existence of many ties — conditions that can lead to serious bias in parameter estimates. Among discrete-time models, the logistic regression function is a popular choice, especially for data sets in which the dependent variable is a dichotomous variable, the explanatory variables vary with time, and the primary focus is on the effects of the explanatory variables on the dependent variable (Allison 1984; Powers and Xie 2000).

Logistic regression relies on maximum likelihood estimation, which produces values that maximize the probability of observing events as they have taken place. In the current study, however, the explanatory variables are lagged for one period ($t - 1$) to allow time for a change in an explanatory variable to influence the dependent variable. Stata 14.2 is used to run the logistic regression analyses in the current study. All regression commands specify clustering by state, so that observations are treated as independent across states but not across time. The cluster option affects the estimated standard errors and additionally specifies that the Huber/White/Sandwich estimator be used in place of the traditional variance calculation. The results are reported in the tables as odds ratios, as opposed to log odds. Hence, the results range from zero to positive infinity, with an odds ratio less than 1 indicating that a given independent variable lowers the odds of states admitting women to the profession of law, while an odds ratio greater than 1 indicates that the variable improves the odds that states will admit women to the profession.

RESULTS

Table 1 presents the correlations among the independent variables. High positive correlations were found among the four variables representing women's organizing efforts. The high correlation between the dummy variable for existence of a single organization and the number of time periods that the same organization was in existence was anticipated. To compensate, three separate models were run on the data: one model that includes only the measure of the existence of an organization, a second model that includes only the measure of the number of time periods that an organization was in existence, and a third model which includes the two measures for both organizations. High correlations were also observed between Literary Club measures and suffrage association measures. Secondary sources reveal that leaders within the Literary Club movement, who were much less conservative than the Clubs' rank-and-file members,

https://doi.org/10.1017/S1743923X19000837 Published online by Cambridge University Press

Table 1. Correlation matrix

	Existence of Literary Club	*Existence of Suffrage Association*	*# Time Periods Literary Club*	*# Time Periods Suffrage Association*	*Eastern*	*Industrialization*	*Women to Men*	*Lawyer Concentration*	*Foreign-Born Population*
Existence of Literary Club (0,1)	1.00								
Existence of suffrage association (0,1)	0.70***	1.00							
# of time periods Literary Club in existence	0.75***	0.66***	1.00						
# of time periods suffrage association in existence	0.61***	0.74***	0.86***	1.00					
Eastern	0.14*	0.13*	0.21***	0.19***	1.00				
Industrialization	0.28***	0.31***	0.25***	0.28***	0.61***	1.00			
Women to men	0.22***	0.23***	0.26***	0.25***	0.70***	0.76***	1.00		
Lawyer concentration	−0.14*	−0.13*	−0.20***	−0.18**	−0.57***	−0.45***	−0.83***	1.00	
Foreign-born population	−0.02	0.05	−0.06	0.04	−0.37***	−0.28***	−0.50***	0.54***	1.00
Mean	0.54	0.52	1.84	1.72	0.57	3.23	87.21	1.39	0.14
Standard deviation	0.50	0.50	2.25	2.25	0.50	0.73	21.31	0.81	0.12

$N = 329$

* = $p < .05$; ** = $p < .01$; *** = $p < .001$.

were often active in the Suffrage movement (O'Neill 1971). It is possible that leaders in both movements may have used their experience in establishing one organization to aid the establishment of the other. Despite these high correlations, the two organizations and their measures remain in the analysis as the goals and the tactics employed by each organization may have appealed differently to women and may have had different effects at that time.

The measure of lawyer concentration within a state is highly correlated with the ratio of women to men and the dummy variable for eastern states. In addition, the ratio of women to men is highly correlated with industrialization and the dummy variable for eastern states. Finally, the measures for industrialization and eastern are highly correlated. As mentioned earlier, industrialization initially took hold in the eastern states, which were also the states that had overpopulations of women. As women were not allowed to practice law, these eastern states, with their high ratios of women to men, would have had relatively few lawyers. It is expected that correlations will be higher in the state-period data than in the state data. As a result, all control variables remain in the analyses.

The results of the initial analysis are presented in Table 2. As can be seen from Model 1, the existence of a suffrage association and the measure for industrialization are significant at $\alpha < .01$, while the existence of a Literary Club and the dummy variable for eastern states are significant at $\alpha < .10$. The magnitude of the odds ratios indicates that states with a suffrage association are six times more likely to admit women to the bar than states without a suffrage association. This finding provides support for $\boldsymbol{H_2}$. For some states, the presence of a Literary Club also hastens the likelihood of state's recognition of women lawyers, though the significance suggests only marginal support for $\boldsymbol{H_1}$. The odds ratio for eastern states supports earlier observations: eastern states were less likely to change their policies regarding women's admission to the profession of law. However, the odds ratio for industrialization suggests that industrialized states, which are concentrated in the East, were more likely to admit women to the profession of law than less industrialized states. This contradictory finding may reflect the difference between northern and southern states lying east of the Mississippi River, with southern states being much slower to admit women to law (see the appendix).

In Model 2 of Table 2, the variables for eastern and industrialization remain significant, and the magnitude of the odds ratios supports the findings from Model 1, although eastern is now significant at $\alpha < .05$. The difference between the two models is that the measure for Literary

https://doi.org/10.1017/S1743923X19000837 Published online by Cambridge University Press

Table 2. Odds ratios from logistic regression of variables influencing the timing of a state's decision to admit women to the profession of law

Variables ($n = 329$)	*Model 1* ***Odds Ratio (Robust Standard Error)***	*Model 2* ***Odds Ratio (Robust Standard Error)***	*Model 3* ***Odds Ratio (Robust Standard Error)***
Eastern	0.471†	0.294*	0.366†
	(0.205)	(0.182)	(0.219)
Women: Men	0.975	0.973	0.966†
	(0.016)	(0.020)	(0.020)
Industrialization	1.469**	1.754**	1.691**
	(0.220)	(0.340)	(0.339)
Lawyer concentration	0.795	0.919	0.880
	(0.247)	(0.273)	(0.278)
Foreign-born population	1.286	1.273	1.412
	(1.682)	(2.747)	(2.633)
Existence of Literary Club (0,1)	3.185†		1.101
	(2.056)		(0.928)
Existence of suffrage association (0,1)	6.532**		5.147*
	(4.212)		(3.835)
# of time periods Literary Club in existence		1.539***	1.490**
		(0.178)	(0.197)
# of time periods suffrage association in existence		1.072	0.948
		(0.114)	(0.108)
Likelihood ratio chi-square (one-tailed test)	46.45***	38.51***	46.56***

† = $p < .10$; * = $p < .05$; ** = $p < .01$; *** = $p < .001$.

Clubs is now significant at $\alpha < .001$. The odds ratio indicates that for each additional five-year interval that a Literary Club was in existence, states with these Clubs were one and a half times more likely to admit women to the profession of law than states with no Literary Club or with a nascent Literary Club. This finding provides additional and stronger support for $\boldsymbol{H_1}$. Unlike Model 1, however, there is no support for the measure of suffrage associations.

In Model 3 of Table 2, the measure for industrialization remains significant at $\alpha < .01$, while the dummy variable for eastern is once again significant at $\alpha < .10$. In addition, the ratio of women to men is also marginally significant, indicating that states with higher ratios of women to men were somewhat less likely to admit women to the profession of law. With both measures included for the two forms of women's organizing activities in Model 3, one measure for each organization is now significant. As in Model 1, the existence of a suffrage

https://doi.org/10.1017/S1743923X19000837 Published online by Cambridge University Press

association is significant at $\alpha < .05$, with the odds ratio indicating that states with a suffrage association were five times as likely to admit women to the profession of law than states without an association. The number of time periods that a Literary Club was in existence is significant at $\alpha < .01$, with the odds ratio indicating that for each additional five-year interval a Literary Club was in existence, states were one and half times more likely to recognize women lawyers than either states without a Literary Club or with a Literary Club in its infancy.

Given the significance of the dummy variable for eastern states across the three models and the expectation of regional differences in terms of women's organizing efforts, a consideration of separate models for eastern versus western states is presented. Based on the significance of the two measures for the independent variables, Model 3 is chosen for continued analysis.

Table 3 shows considerable variation between eastern and western states in terms of the significant predictors of a state's decision to admit women to the profession of law. Among eastern states, the presence of a Literary Club with a long history was likely to hasten the transition in a state's policy regarding admission of women to the profession. This finding provides support for $\boldsymbol{H_1}$ and $\boldsymbol{H_{3a}}$, as Literary Clubs were expected to have a positive influence on women's admission to the profession, and the nonmilitant tactics employed by Literary Clubs were expected to be more effective in eastern society. Of the control variables included in this model, the measures for the ratio of women to men and industrialization are also significant predictors of a transition in states' policies. The odds ratio for the latter provides additional support for the conclusion that the process of industrialization hastened women's entrance into various sectors of the labor force, including law. Yet states with higher ratios of women to men were less likely to accept women into the profession of law

In the model for western states, the only significant predictor of the timing of a state's decision to grant women formal recognition as lawyers is the presence of a suffrage association, and it is significant at $\alpha < .056$. However, the magnitude of the odds ratio indicates that western states with established suffrage associations were almost 12 times more likely to admit women to the profession of law than states without such an association. This finding provides support for $\boldsymbol{H_2}$. Furthermore, the fact that suffrage is only significant in the west, while Literary Clubs are not significant, provides support for $\boldsymbol{H_{3b}}$, indicating that the cause and tactics of the suffragists had greater appeal to western women and politicians.

https://doi.org/10.1017/S1743923X19000837 Published online by Cambridge University Press

Table 3. Odds ratios from logistic regression of variables influencing the timing of a state's decision to admit women to the profession of law, by region

Variables	*Eastern States (n = 189) Odds Ratio (Robust SE)*	*Western States (n = 140) Odds Ratio (Robust SE)*
Women: Men	0.773***	1.023
	(0.053)	(0.028)
Industrialization	2.885*	1.309
	(0.971)	(0.387)
Lawyer concentration	0.427	2.234†
	(0.352)	(1.023)
Foreign-born population	0.139	13.822
	(0.359)	(51.123)
Existence of Literary Club (0,1)	0.167	3.635
	(0.235)	(3.856)
Existence of suffrage association (0,1)	2.530	11.836†
	(2.468)	(15.289)
# of time periods Literary Club in existence	1.667*	1.134
	(0.430)	(0.184)
# of time periods suffrage association in existence	1.174	1.121
	(0.175)	(0.157)
Likelihood ratio chi-square (one-tailed test)	41.68***	28.06***

† = $p < .10$; * = $p < .05$; ** = $p < .01$.

DISCUSSION

Dividing the country into a sample of eastern and western states provides support for H_1, H_2, H_{3a}, and H_{3b} — that both Literary Clubs and suffrage associations played a significant role in terms of influencing the timing of states' decisions to recognize the right of women to practice law and that the effectiveness of the different tactics adopted by these organizations differed by region. The significance of Literary Club formation in eastern states indicates that the early founding, and hence longer history, of this women's organization helped hasten the transition in eastern states' decisions to recognize women as lawyers. In western states, on the other hand, the mere existence of a suffrage association, regardless of earlier versus later founding, proved to be a significant catalyst to changing a state's policy regarding women's admission to the profession of law. This latter finding may reflect what McCammon, Arch, and Bergner (2014) call the "radical demand effect." When suffragists issued demands for other rights for women (e.g., the right to own property), these demands were seen as

https://doi.org/10.1017/S1743923X19000837 Published online by Cambridge University Press

less radical than the demand for woman suffrage. Male politicians were more inclined to grant such moderate requests while they continued to resist pressures for more radical demands. Hence, the establishment of a suffrage association may have been threatening enough that male politicians were anxious to appease suffragists by granting them greater employment opportunities, such as access to the profession of law.

This study's use of institutional logics additionally illustrates both how women's organizations could mount challenges to the institution of traditional gender roles, but also how traditional gender roles influenced the effectiveness of such challenges. Contradictions in institutional logics create opportunities for political conflict, but these same institutional logics — including the one(s) that may be at the root of political conflict — shape the appropriateness, and hence efficacy, of the actions that can be undertaken in opposition. Both Literary Clubwomen and suffragists resented the limitations of traditional gender roles, and both groups exploited the contradiction between the American political system and their roles as women. However, Literary Clubwomen were willing to accept the notion of separate spheres to govern relations within the home, in return for greater opportunities for women in the public realm. Clubwomen issued their requests, cited their moral superiority, and let their large numbers impart the seriousness of their concerns. Such tactics aligned with traditional gender roles and their dictates for how women ought to conduct themselves in the public sphere. On the other hand, neither the demands nor the tactics of the suffragists showed any such deference. The suffragists sought a complete redefinition of the relationship between men and women, both in the home and in the public realm. In their demands for equal rights, suffragists employed tactics that were themselves a direct challenge to traditional gender roles, as they included behaviors that were verboten to women. Yet over time, suffragists saw the usefulness — and success — of invoking separate spheres, and women's special role within the home, as they worked to convince men in power of the utility of granting women voting rights (Kraditor 1981; McCammon 2001; McCammon et al. 2001; Ritter 2000). In this study, we see that one may exploit a contradiction in logics, but the effectiveness of the ensuing political conflict may require simultaneous deference to the same logic one is seeking to supplant.

That earlier research documents a transition in the suffragists' tactics from a justice argument to an expediency argument, and that this research dates the transition to approximately 1890 (Kraditor 1981; McCammon 2001; McCammon et al. 2001; Ritter 2000), suggests a

consideration of the current study's final model (Table 3) for the truncated period of 1890 to 1925. Specifically, one could empirically test the efficacy of the suffragists' expediency tactics in eastern states, where the ideals of ladydom were more entrenched. However, truncating the time period and focusing on the eastern states produces a sample size of less than 100 observations, a size at which point maximum likelihood estimation results are questionable (Long 1997; UCLA Institute for Digital Research and Education 2017). Hence, the results of this analysis are not reported.

The results from Table 2 also presented an unusual finding among the control variables; the measures for eastern and industrialization, while positively correlated, have opposing effects on women's admission to the legal profession. A review of the raw data (see the appendix) suggests that aggregating states that lie east of the Mississippi River into a singular region might be shortsighted. Drawing on Census Bureau divisions of northern and southern states, differences between the two regions can be seen in terms of women's admission to the profession of law around the transition year of 1890.[6] Of the 14 states that constitute the Northeast, 11 of those states saw a woman admitted to the legal profession prior to 1890. Of the 12 southeastern states, only North Carolina recognized a woman as a lawyer prior to 1890.

While all eastern states held deeply entrenched ideals regarding ladydom and traditional gender roles, it appears that southern states adhered to these ideals with greater zeal than their northern counterparts. This is consistent with earlier work by Campbell and McCammon (2005) exploring barriers to women's entry to the profession of medicine across the 48 contiguous states. The authors find strong support for the negative effect of conservative gender culture, which they argue was most pronounced in the South. Citing Wheeler (1993), the authors point to the South's "passionate devotion" to traditional gender roles and a fervent commitment to preserving "the traditional role of Southern womanhood" (Campbell and McCammon 2005, citing Wheeler 1993, 4–5). To empirically test for a potential "southeastern' effect" a dummy variable was created for *southeastern* states and analysis (not shown) was run on all eastern states, based on the model in Table 3. Surprisingly, the southeastern variable fails to achieve significance. This suggests that while

6. Northern states include those states in the following Census Bureau divisions: New England, the Middle Atlantic states, and the East North Central states. Southern states include the South Atlantic and East South Central divisions.

there are observable differences between northeastern and southeastern states, they two regions can be meaningfully treated as one, and they can be contrasted with states lying west of the Mississippi River.

CONCLUSIONS

This study provides another interesting example of the far-reaching effects of the early women's movement in expanding women's rights. In addition to pursuing the causes for which these civic organizations were founded (e.g., a place for women to enjoy social interaction and discuss issues of importance; suffrage), early women's organizations helped women gain access to other areas of the public sphere, specifically, the profession of law. The presence of women in the professions, as well as in higher education and civic organizations, thereby paved the way for women to secure further essential rights, such as full suffrage (McCammon and Campbell 2001; McCammon et al. 2001).

Additionally, this study highlights the usefulness of institutional logics to an understanding of institutional transformation and how logics can both hasten and hinder change. While contradictory logics create opportunities for political conflict and thus allow for a reorganization of society, a prevailing logic can still exert power over social relations in society — even while political activists seek to supplant that logic. Institutional logics are stubborn, and change takes time. This can be seen in the 80-plus years that it took for women to enjoy a legal existence that was independent of their husbands.[7] Yet entrenched beliefs and value systems are supplanted by new beliefs and values. But political activists may be well advised to attend to the dictates of those prevailing logics to determine which extant beliefs and/or values might be expediently harnessed in the battle for social change.

Heather Perretta is Assistant Dean in the School of Arts and Sciences at Manhattanville College, Purchase, New York: heather.perretta@mville.edu

SUPPLEMENTARY MATERIAL

To view supplementary material for this article, please visit https://doi.org/10.1017/S1743923X19000837

7. Ritter (2000) documents the continued struggles of women activists for equal rights after passage of the Nineteenth Amendment in 1920 (e.g., jury service).

REFERENCES

Abram, Ruth J. 1985. *Send Us a Lady Physician: Women Doctors in America, 1835–1920*. New York: W. W. Norton.
Allison, Paul D. 1984. *Event History Analysis: Regression for Longitudinal Event Data*. Beverly Hills, CA: Sage.
Banaszak, Lee Ann. 1996. *Why Movements Succeed or Fail: Opportunity, Culture, and the Struggle for Women Suffrage*. Princeton, NJ: Princeton University Press.
Berger-Morello, Karen. 1986. *The Invisible Bar: The Woman Lawyer in America, 1683 to the Present*. New York: Random House.
Blair, Karen J. 1980. *The Clubwoman as Feminist: True Womanhood Redefined, 1868–1914*. New York: Holmes & Meier.
Campbell, Karen E., and Holly J. McCammon. 2005. "Elizabeth Blackwell's Heirs: Women as Physicians in the United States, 1880–1920." *Work and Occupations* 32 (3): 290–318.
Chamberlain, Mariam K. 1988. *Women in Academe: Progress and Prospects*. New York: Russell Sage Foundation.
Chappell, Louise. 2006. "Comparing Political Institutions: Revealing the Gendered 'Logic of Appropriateness.'" *Politics & Gender* 2 (2): 223–35.
Clemens, Elisabeth S. 1997. *The People's Lobby: Organizational Innovation and the Rise of Interest Group Politics*. Chicago: University of Chicago Press.
Clinton, Catherine. 1999. *The Other Civil War: American Women in the Nineteenth Century*. New York: Hill and Wang.
Cullen-DuPont, Kathryn. 2000. *Encyclopedia of Women's History in America*. 2nd ed. New York: Facts on File.
Degler, Carl N. 1980. *At Odds: Women and Family in America from the Revolution to the Present*. New York: Oxford University Press.
DiMaggio, Paul J., and Walter W. Powell. 1983. "The Iron Cage Revisited: Conformity and Diversity in Organizational Fields." *American Sociological Review* 48 (2): 147–60.
Friedland, Roger, and Robert R. Alford. 1991. Bringing Society Back In: Symbols, Practices and Institutional Contradictions. In *The New Institutionalism in Organizational Analysis*, eds. Walter W. Powell and Paul J. DiMaggio. Chicago: University of Chicago Press, 232–67.
Kraditor, Aileen S. 1981. *The Ideas of the Woman Suffrage Movement, 1890–1920*. New York: W. W. Norton.
Long, J. Scott. 1997. *Regression Models for Categorical and Limited Dependent Variables*. Thousand Oaks, CA: Sage.
Lowndes, Vivien. 2014. "How Are Things Done around Here? Uncovering Institutional Rules and Their Gendered Effects." *Politics & Gender* 10 (4): 685–91.
Matthews-Gardner, A. Lanethea. 2005. "The Political Development of Female Civic Engagement in Post-War America." *Politics & Gender* 1 (4): 547–75.
McCammon, Holly J. 2001. "Stirring Up Suffrage Sentiment: The Formation of State Woman Suffrage Organization, 1866–1914." *Social Forces* 80 (2): 449–80.
McCammon, Holly J., Sandra C. Arch, and Erin M. Bergner. 2014. "A Radical Demand Effect: Early US Feminists and the Married Women's Property Acts." *Social Science History* 38 (1–2): 221–50.
McCammon, Holly J., and Karen E. Campbell. 2001. "Winning the Vote in the West: The Political Successes of the Women's Suffrage Movements, 1866–1919." *Gender & Society* 15 (1): 55–82.
McCammon, Holly J., Karen E. Campbell, Ellen M. Granberg, and Christine Mowery. 2001. "How Movements Win: Gendered Opportunity Structures and the U.S. Women's Suffrage Movements, 1866–1919." *American Sociological Review* 66 (1): 49–70.

Meyer, John W., and Brian Rowan. 1977. "Institutionalized Organizations: Formal Structure as Myth and Ceremony." *American Journal of Sociology* 83 (2): 340–63.
Mintz, Steven, and Susan Kellogg. 1988. *Domestic Revolutions: A Social History of American Family Life*. New York: Free Press.
O'Neill, William L. 1971. *Everyone Was Brave: A History of Feminism in America*. Chicago: Quadrangle Books.
Powers, Daniel A., and Yu Xie. 2000. *Statistical Methods for Categorical Data Analysis*. San Diego, CA: Academic Press.
Ritter, Gretchen. 2000. "Gender and Citizenship after the Nineteenth Amendment." *Polity* 32 (3): 345–75.
Ruef, Martin, and W. Richard Scott. 1998. "A Multidimensional Model of Organizational Legitimacy." *Administrative Science Quarterly* 43 (4): 877–904.
Scott, W. Richard. 1995. *Institutions and Organizations*. Thousand Oaks, CA: Sage.
Sleeth, Carolyn. 1997. "First Women Lawyers in the United States." Women's Legal History Biography Project. http://wlh.law.stanford.edu/wp-content/uploads/2011/01/sleeth-first-woman-lawyers.pdf (accessed October 19, 2019).
Solomon, Barbara Miller. 1986. *In the Company of Educated Women*. New Haven, CT: Yale University Press.
Stanton, Elizabeth Cady, Susan B. Anthony, and Matilda, Joslyn Gage. 1902. *The History of Woman Suffrage*. Indianapolis, IN: Hollenbeck Press.
Tetrault, Lisa. 2014. *The Myth of Seneca Falls: Memory and the Women's Suffrage Movement, 1848–1898*. Durham, NC: University of North Carolina Press.
Thelen, Kathleen. 1999. "Historical Institutionalism in Comparative Politics." *Annual Review of Political Science* 2: 369–404.
Thornton, Patricia H., and William Ocasio. 1999. "Institutional Logics and the Historical Contingency of Power in Organizations: Executive Succession in the Higher Education Publishing Industry, 1958–1990." *American Journal of Sociology* 105 (3): 801–41.
Townley, Barbara. 1997. "The Institutional Logic of Performance Appraisal." *Organization Studies* 18 (2): 261–85.
UCLA Institute for Digital Research and Education. 2017. Logistic Regression with Stata. https://stats.idre.ucla.edu/stata/webbooks/logistic/chapter1/logistic-regression-with-stata chapter-1-introduction-to-logistic-regression-with-stata/ (accessed October 19, 2019).
Walsh, Mary Roth. 1977. *Doctors Wanted: No Women Need Apply: Sexual Barriers in the Medical Profession, 1835–1975*. New Haven, CT: Yale University Press.
Waylen, Georgina. 2009. "What Can Historical Institutionalism Offer Feminist Institutionalists?" *Politics & Gender* 5 (2): 245–53.
Welter, Barbara. 1966. "The Cult of True Womanhood, 1820–1860." *American Quarterly* 19 (2, Pt. 1): 151–74.
Wheeler, Marjorie Spruill. 1993. *New Women of the New South: The Leaders of the Woman Suffrage Movement in the Southern States*. New York: Oxford University Press.
Wilson, Jan Doolittle. 2011. "Disunity in Diversity: The Controversy Over the Admission of Black Women to the General Federation of Women's Clubs, 1900–1902." *Journal of Women's History* 23 (2): 39–63.
Wood, Mary I. 1912. *The History of the General Federation of Women's Clubs*. Norwood, MA: Norwood Press.
Yamaguchi, Kazuo. 1991. *Event History Analysis*. Newbury Park, CA: Sage Publications.