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Institutional Sources of Organizational Culture in Major Law Firms

Abstract

[Excerpt] A large body of research has been generated within the last few years on the forms and functions of organizational culture and on the consequences of culture for organizational control and effectiveness. Surprisingly little attention has been given, however, to the sources of organizational culture and, in particular, to the features of organizations that affect its maintenance and transmission. This chapter uses an institutionalization perspective to explore these issues.

Keywords

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5 INSTITUTIONAL SOURCES OF ORGANIZATIONAL CULTURE IN MAJOR LAW FIRMS

Pamela S. Tolbert

A large body of research has been generated within the last few years on the forms and functions of organizational culture (Meyer 1981; Martin 1982; Barley 1983; Trice and Beyer 1984) and on the consequences of culture for organizational control and effectiveness (Ouchi and Maguire 1975; Peters and Waterman 1982; Barley, Gash, and Meyer 1985). Surprisingly little attention has been given, however, to the sources of organizational culture and, in particular, to the features of organizations that affect its maintenance and transmission (Zucker 1977). This chapter uses an institutionalization perspective to explore these issues.

Research thus far has focused largely on the effects of the institutionalization process at the field level (see DiMaggio and Powell 1983; Scott 1983), examining the diffusion of structural changes across sets of organizations (Rowan 1982; Tolbert and Zucker 1983; DiMaggio and Powell 1984; Tolbert 1985). In contrast, this research considers the process of institutionalization within organizations and examines the role of organizational structure in maintaining institutionalized patterns. It is argued that, over time, specific rules and practices of an organization that are developed in response to particular problems and situations become a normative, taken-for-granted part of organizational life. These institutionalized rules and behaviors constitute the core of organizational culture. In order to be maintained, the culture must be transmitted to new members through a process of organizational socialization. More intensive socialization processes are likely to be accompanied by the development of more formal mechanisms for providing information to new members and evaluating them (Van Maanen and Schein 1979). Formal structure thus

becomes a means of ensuring the perpetuation of institutionalized patterns in organizations.

These ideas are applied in an analysis of the structure of major law firms. I begin by offering a description of the process of institutionalization of cultural elements within organizations and the role of the transmission of culture in the process. With this as background, I consider some of the factors that influence the ease of transmission and thus the presence or absence of more formal mechanisms of socialization. I argue that an important factor is the degree of congruence of members' previous experiences and backgrounds because common backgrounds provide interpretive frameworks and social definitions of behavior that can facilitate the transmission process (Merton 1957; Berger and Luckmann 1966; Weick 1969; Van Maanen 1979; Louis 1980). If less congruence is found between the backgrounds of new and old members of an organization, then more formal structures associated with socialization should be found in the organization. The next two sections describe the sample and procedures of analysis and the results. The concluding section discusses the implications, both for the development of an institutionalization perspective and for further research on organizational culture.

Institutionalization Processes and Organizational Culture

Institutionalization

A variety of definitions of *organizational culture* have been offered (see Beyer 1981; Louis 1980; Jelinek, Smircich and Hirsch 1983; Pettigrew 1979). Although these differ slightly in emphasis, all suggest that culture is expressed in patterns of behavior that are based on shared meanings and beliefs about those behaviors.¹ Such shared meanings and beliefs facilitate coordination of activities within an organization by making behaviors both understandable and predictable to interacting members. Thus, the development of cultural elements can reduce the need for more direct, coercive mechanisms of control and coordination (Ouchi and Maguire 1975).

Relatively little attention has focused on the issue of how culture develops in organizations; most research takes the existence of culture as given. However, a general model of the development and evolution of cultural elements can be found in Berger and Luckmann's discussion of the process of institutionalization (1966: 47-72).²

This approach is based on the assumption that strong pressures exist to habitualize action and interaction. That is, repeated activities become cast into patterns that, in response to particular stimuli, are reproduced with a minimum of decisionmaking effort. This increases the predictability of behavior, and hence facilitates interaction. Because habitualization smooths

interactions, it is self-maintaining. Disruption of habitualized activities poses a threat to interactions and is likely to be stressful for participants (Garfinkle 1967). Over time, the origins of the habits and the problems or situations that provided the impetus for the activities are forgotten, and the activities acquire a more or less objective character. Indeed, rationalized myths are likely to develop in organizations around habitualized patterns (Meyer and Rowan 1977), enhancing their perceived objectivity. The myths "explain" the way in which activities are linked to specified, appropriate organizational objectives.

Transmission

The institutionalization of behavior, incipient in this process, is completed when habitualized activities are transmitted to new members. Because these members have no knowledge of the historical origins of the cultural elements that are transmitted, they have a normative, fact-like quality. The transmission process is by no means unproblematic, however (Zucker 1977). Socialization of new organizational members requires not only transmission of particular patterns of behavior but transmission of the rationalized myths as well. Consequently, the myths must "make sense" to the new members in order to be readily accepted.

Such myths are generally plausible only in the context of particular interpretive frameworks, which contain definitions of legitimate organizational problems and purposes. If these definitions are not shared, the existing myths may not be immediately plausible to new members and the transmission of cultural elements is apt to become more difficult. For example, in some universities, research is widely understood to be of paramount importance to the organization; in others, teaching is felt to be the central task. Persuading a new faculty member to adopt certain behaviors because "it discourages students from coming to see you" (or "it increases the enrollment in your classes") can be more or less difficult depending on whether this is congruent with the member's existing understandings of the appropriate objectives and purposes of the university.

When the new members share common backgrounds and experiences with other members of the organization, there is likely to be a substantial congruence in the members' interpretive frameworks (Schutz 1964). Thus, the transmission of culture is relatively easy in this context. The less new members' backgrounds overlap with the others', on the other hand, the more problematic is the transmission process. Because transmission is necessary for the maintenance of organizational culture and, ultimately, the continued functioning of the organization, greater attention and importance is likely to be attached to the socialization of new members

under these conditions. This is expected to be reflected in the formal structure of the organization, in the development of training programs, formal mentoring systems, frequent evaluations, and so forth. These mechanisms serve to provide feedback to the members regarding their acquisition of the culture and to reinforce it. Even though particular behaviors and their accompanying rationales may not be immediately plausible to new members, with repeated exposure they are likely to be accepted. Systematic, repeated exposure to the cultural elements typically involves more formalized socialization mechanisms. Thus, the structures serve to preserve institutionalized patterns of behavior.

Culture and Organizations of Professionals: Law Firms

It has been argued that professionals in bureaucratic organizations are necessarily subject to work role conflict because the exercise of direct organizational control over their behavior and activities is inherently incongruent with professional values of autonomy (Freidson 1970; Smigel 1964; Kornhauser 1962). The knowledge, skills, and norms of behavior acquired through professional training are presumably designed to enable individuals to carry out specialized work without direct supervision. Although the actual function of professional education has been debated,³ the argument that it provides members with a common culture, in the sense of shared definitions of problems and common repertoires for managing those problems, is rarely questioned (Perrow 1976; DiMaggio and Powell 1983).

There are, however, two caveats to this general argument worth noting. First, professional educational programs necessarily provide only very general training in professional knowledge and skills. Because each organization that employs professionals has its own specific applications and work policies for which the educational program cannot directly prepare new members, the amount of anticipatory socialization (Merton 1957) that can occur is limited. For example, different business firms have systems of accounting that have been adapted to the particular needs of the firm. Likewise, law firms typically have their own policies in regard to adequate and necessary procedures for case preparation. Moreover, there is considerable interorganizational variation among educational institutions in terms of the emphases that are placed on different aspects of professional roles and activities. A study by Stern (1979) of law students in an elite and local law school illustrates these differences. This research indicated that although entering students in the two schools had similar conceptions of and attitudes toward the legal profession, there were significant differences between the schools in the attitudes and career choices of graduating students. Presumably, the differences in attitudes

and values of the students were produced by differences in their professional education.

Thus, professional members of an organization with diverse educational backgrounds may bring very different attitudes as well as skills to their work. For these reasons, the employing organization must have some means of inducing new members to conform to the specific organizational culture, with its own definitions of the appropriate execution of work roles and responsibilities.

Because professionals typically resist formal, bureaucratic control of their behavior, adherence to specific rules, policies and behaviors must be effected largely through the process of organizational socialization. The importance of this process in achieving organizational control is suggested by Smigel's description (1964) of work in several Wall Street law firms. In any of the firms of his study, only a handful of members reported any awareness of specific formal rules and regulations governing their work. It was clear, however, that each firm had very specific expectations of behavior from its members, ranging from the appropriate form of salutation and closing of letters to the "normal" amount of overtime to be put in by associates to acceptable dress and conduct outside of the office. Presumably, these institutionalized rules of behavior were transmitted to new associates early in the socialization process. His research suggested that their violation by partners or senior associates occurred only infrequently.

It has been argued that the ease with which such cultural elements can be transmitted to new members depends in part on the degree to which members of the organization share interpretive frameworks created by common backgrounds and experiences. Shared frameworks, containing definitions of desirable outcomes of activities, make it easier to transmit both specific elements of culture and the rationalized myths that accompany them. Professional education programs, which serve as a major source of values and attitudes toward professional work, exert an important influence in the development of such frameworks (Heinz and Laumann 1982). However, different educational programs may provide very different understandings of professional work.

Therefore, the greater the amount of overlap in the educational background of new and old members of a law firm, the greater the likelihood of shared interpretive frameworks, and the easier the process of transmission of organizational culture. Under these conditions, the socialization process in the firm should be relatively less intensive because both the behaviors and the rationalized myths are easily made understandable and hence more acceptable to new members. Thus, the organizations can rely primarily on informal mechanisms of socialization. Conversely, the less overlap in the members' educational backgrounds, the

more intensive the socialization process is likely to be, and the more the organization will rely on formal mechanisms, such as training programs, frequent and formal evaluations, and so forth.

Analysis

To examine these arguments, data from a sample of law firms in the *American Lawyer Guide to Leading Law Firms* (Brill 1982), a published survey of major law firms in twenty metropolitan areas in the United States were analyzed. Only firms containing fifty or more partners were surveyed by the *Guide*, and firms specializing in a single area of law were excluded. Thus, this is not representative of all law firms in the United States, and the results of the present study should be interpreted accordingly. Because the collection of these data was intended to be a preliminary step in a larger project, and because of time and financial constraints, the sample size was limited. Of the 234 firms surveyed, a random sample of fifty-four firms was drawn.

Measures

Information was collected on a variety of demographic and structural characteristics of the firms. In addition to completing close-ended survey items, each firm supplied descriptions of their governance and administrative system, history, and recruitment and training programs for associates.

A number of items were coded from these descriptions on various aspects of the socialization of new associates. These included the number of times associates were formally reviewed their first year, the number of times that they were reviewed per year after their first year (each of these items ranged from 0 to 3+), whether the firm reported the provision of special training programs for associates, and whether associates were given feedback on their progress toward partnership in the firm at specified time points. These items were combined into a scale of formal socialization, ranging from 0 to 8. Factor loadings for the items in this scale are shown in Table 5-1. The estimate of scale reliability was .62.

Each firm was asked to list their key law schools for the recruitment of new members and the percentage of associates recruited from each of these schools during the previous year. In addition, the key schools for the entire firm were listed and the percentage of firm members from each. A measure of educational homogeneity was constructed from these variables in two steps. First, the match between the primary law school for associates and for the entire firm was examined. If these were not the same, educational homogeneity was coded 0. If they matched, homogeneity was indexed by the percentage of members of the entire firm from

Table 5-1. Factor Loadings, Means, and Standard Deviations for Items in Socialization Scale.

<i>Variable</i>	<i>Factor Loading</i>	<i>Communality</i>	<i>Mean</i>	<i>Standard Deviation</i>
Review 1 ^a	.79	.63	1.55	.57
Review 2 ^b	.81	.69	1.43	.57
Training	.31	.09	.29	.10
Feedback	.26	.07	.15	.36

a. Number of times reviewed during first year.

b. Number of times reviewed yearly subsequent to first year.

the law school.⁴ In about half of the firms (48 percent), the primary law school for new associates and other members of the firm was the same. Among these, the proportion of members from the same school ranged from 10 to 61 percent.

Analytic Procedures

It was expected that the greater the educational homogeneity of members, the fewer formal structures of socialization would be found in a firm. This was examined with ordinary least squares analysis, using a number of control variables that might also be expected to influence the need for more formalized socialization procedures. The small number of cases in this study limited the number of variables that could be examined. Consequently, only a few of the most likely alternative explanatory variables were analyzed.

Size, complexity, and growth were used as primary control variables. Because larger firms are likely to have less direct contacts between partners, it may be more difficult to ensure adequate socialization and evaluation of associates through informal means. Thus, size is expected to increase the need for more formalized procedures. This was measured by the total number of lawyers in the firm.⁵ A second variable, complexity, was measured by the number of areas of specialization by the firm. Increasing complexity is likely to affect problems of socializing new members in much the same way as increased size. The last control variable entered was growth. Firms that are growing more rapidly may find older, informal systems of socialization inadequate. Growth was measured by the percentage change in lawyers in the firm over the preceding four years.

Results

The intercorrelations, means, and standard deviations of these variables are shown in Table 5-2. The relations between the dependent variable,

Table 5-2. Zero-Order Correlations, Means, and Standard Deviations.^a

	X ₁	X ₂	X ₃	X ₄	X ₅
X ₁ Formal Socialization	—				
X ₂ Educational homogeneity	-.305	—			
X ₃ Size	-.062	.105	—		
X ₄ Complexity	-.073	.354	.358	—	
X ₅ Growth	.288	-.205	-.442	-.128	—
Mean	3.08	12.06	127.64	7.32	34.06
S.D.	1.12	17.20	73.39	2.89	21.44

a. N = 53

formal socialization, and educational homogeneity and growth are consistent with expectations, although size and complexity show surprisingly weak, negative relationships.

Table 5-3 presents the results of the regression analysis. Size and complexity have essentially no impact on formal socialization. Growth, however, does exert a substantial positive influence. Firms that have experienced a greater amount of growth are likely to have created more formal structures for the socialization of new members.

Net of these factors, educational homogeneity has a significant, negative effect on formal socialization. As expected, the greater the similarity in new members' and existing members' backgrounds, the less likely is the organization to rely on formal mechanisms of socialization.

As noted, the small number of cases in this study necessitated limiting the analysis to only a few variables. To explore the reliability of these results, a number of additional controls were entered into the equation, one at a time. These variables included the ranking of the firm's primary law school, as an indicator of educational quality (Epstein, Shostack, and Troy 1983); the ratio of partners to associates, as an indicator of the amount of interaction likely to occur between old and new members; average number of years to partnership, as an indicator of how rapidly cultural transmission must be effected; and the average starting salary of associates, as an indicator of the firm's investment in new members. The relationship between background homogeneity and formal socialization remained consistently negative, although the coefficient did drop below the .05 level of significance with the entry of average salary into the equation. Overall, the results provide additional support for the results of Table 5-3. Thus, the consistency of the analyses increases the plausibility of the arguments outlined previously.

Table 5-3. Regression of Formal Socialization on Structural and Demographic Variables.

Variable	b	s.e.	B
Educational homogeneity	-.018 ^a	.009	-.276
Size	.001	.002	.084
Complexity	.021	.055	.054
Growth	.014 ^a	.007	.276
Intercept	2.482		
R ²	.15		

a. $p < .05$

Discussion

The institutionalization perspective in organizational analysis explicitly links macrolevel processes, such as the diffusion of structural changes across an organizational field, to microlevel processes involving individual cognition. Common structural arrangements among organizations are treated as originating in shared perceptions and understandings among individuals of appropriate, necessary organizational components. Most research based on this perspective has focused on its macrolevel implications.

In contrast, this study has sought to elaborate on the assumptions about the creation and maintenance of intersubjective understandings underlying the institutionalization process. I have argued that these understandings, particularly their adaptation to a specific organizational context, represent the core of what is denoted by *organizational culture*. Culture, in this sense, refers to the shared beliefs and attitudes about the appropriate assignment and execution of organizational tasks that are reflected in patterns of behavior. Thus, it contributes to the functioning of the organization by permitting and facilitating coordination of behaviors. The maintenance of culture, then, of which the transmission to new members represents a significant part, is critical to the organization's survival.

This research has investigated factors that affect the ease of transmitting elements of culture to new members, focusing on the role of homogeneity of members' backgrounds and experiences. It was argued that decreasing homogeneity exacerbates problems of transmission and, as a consequence, increases the likelihood that organizations will create formal structures to ensure adequate socialization of new members. Examination of the formal structure of a sample of major law firms provided support for this argument.

One issue that may be raised is whether the measure of socialization does indeed reflect variations in socialization practices or whether it is simply an indicator of the more general organizational property of formalization. Unfortunately, the kind of observational data needed to determine this directly are not readily available. However, if this variable were simply a proxy for formalization, the traditional covariates (size and complexity) would be expected to have substantial effects on it. Tables 5-2 and 5-3 indicate that these effects are essentially null. Moreover, the variable's correlation with other possible indicators of formalization (such as specification of various governance policies and procedures) is quite weak, less than .15. Thus, the socialization measure does not appear to merely reflect a general tendency toward formalization.

This research contains a number of implications, both for future research on organizational culture and for the development of the institutionalization perspective. First, it underscores the utility of comparative studies in order to broaden our understanding of sources and effects of variations in organizational culture. Much of the current research on culture has been based on analyses of single organizations. Although this research permits important insights into individuals' perceptions and responses to cultural phenomena, it precludes determination of the extent to which these patterns are common to a variety of organizations or whether they are unique to a particular organization (see Lawrence 1985). Many questions about organizational culture have yet to be addressed: What accounts for differences in forms of cultural expression (such as rites, sagas, myths) among organizations? Are there interorganizational differences in the stability of cultural elements? If so, why? In order to answer questions such as these, comparative research is required.

This study also points up an important lacuna in present work using an institutionalization perspective—conceptualization of the process through which common understandings of appropriate organizational structure and behavior are created and maintained. Struggles for power and control often underlie initial activities in an institutionalization process (Rowan 1982; Tolbert and Zucker 1983). Likewise, the maintenance of institutionalized patterns is likely to have substantial effects on the balance of power in social relations. As a consequence, such patterns are apt to be less stable and more vulnerable to change than is usually acknowledged. Given this, understanding the conditions and mechanisms for their maintenance is critical to an understanding of the institutionalization (and deinstitutionalization) of elements of formal structure. An important implication of the present study for the development of this perspective is that organizational structure can be causally as well as consequentially related to the maintenance of institutionalized patterns of organizational behavior.

NOTES

1. There is, in fact, no generally accepted definition of *organizational culture*. A number of researchers have raised important objections to the notion that organizations are characterized by a single culture and have suggested instead that organizations are more aptly conceptualized as systems of diverse subcultures (Martin and Siehl 1983; Riley 1983; Van Maanen and Barley 1984). The traditional distinction between values and norms (Thomas and Znaniecki 1927) may offer a partial solution to this problem. Values, or notions of morally desirable outcomes ("this is right and good"), need not and indeed are likely not to be shared by all members of an organization. On the other hand, there must be a substantial sharing of norms, or prescribed, expected patterns of behavior ("this is how it is done") among the members or organizational interactions could not be sustained for long.
2. Schein (1985) offers a very similar description of the development of culture in organizations.
3. Whether the primary function of professional education is to provide individuals with highly complex skills and strongly internalized ethics of behavior or whether it is to act as a barrier to occupational entry by a potentially large pool of candidates and thus as a source of market domination by members of the profession has been debated at length (Cogan 1953; Parsons 1954; Cullen 1978; Illich 1976; Berlant 1975; Larson 1977). The present research is not designed to address the issue of the "real" purpose of professional education.
4. The proportion of new associates from the primary law school was also explored as an index of educational homogeneity. The same substantive results were obtained with this measure, although they were somewhat weaker.
5. The number of associates was examined as an alternative measure of size because it could be argued that more formal socialization is likely when there are a large number of newcomers to be socialized. This measure had almost identical effects on the dependent variable as the total number of lawyers in the firm.

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