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AUTHOR Manning, Roger W.
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ABSTRACT

This paper discusses research findings associated with differences in pay among women and men in higher education and examines the notion that salary differences can be explained as a result of women being more care oriented than men; i.e., women possess a greater level of caring for others, sensitivity to others, and a connectedness to others. It is suggested that men and women possess different views of competitive success that is reflected in their moral orientations, and both are disadvantaged by them, females in competitive circumstances and males in relationships. Males generally express a justice orientation to competitive success whereas the care orientation that appears to predominate in women, has a potentially negative impact on women's salaries and promotions. As to legal issues, the courts have not recognized comparable worth claims because higher education supposedly functions under a market economy that is, by definition, unbiased. However, employers must now prove that their pay policies are not a result of discriminatory decision making. Gender inequity in higher education continues to exist. To help remedy these inequities, election of more women to the national legislature is urged as is the passing of a national family policy. (Contains 33 references.) (GLR)

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GENDER, MORAL ORIENTATION AND SALARY

Roger W. Manning - University of Texas

Moral Orientation

The gender gap in salary in the United States has been studied extensively since the 1960s. Estimates of explained salary differences range from 12 to 70 percent, depending on the number of variables included in the study, the remainder, the unexplained part, is attributed to discrimination.¹ Some explanations of lower salaries among women in higher education that have been studied and rejected include: less commitment to work and career;² less education and training;³ women have less information about salary ranges;⁴ and less productivity, especially from married women in academia.

Factors that have accounted for some difference in pay among women in higher education include: a combination of experience, education and gender;⁵ initial starting salary;⁶ different criteria used for evaluating women;⁷ and once a department is disadvantaged it remains so.⁸

Hochschild was describing the timeline of universities as freezing women out in 1983.⁹ She added that the stress of competition restrains women and the feminine values of cooperation, caring, and moral concern. Later, it was observed that many women leave academia before reappointment and tenure decisions. She suggests this is because female attributes are less suited to success in academia than male attributes, which suit the academic role as it is currently defined.¹⁰

Kohlberg originally defined the justice orientation to explain moral

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development.¹¹ Gilligan found Kohlberg's theory lacking for two reasons: he studied only males and applied his studies to females, and women typically did not score higher than stage three on Kohlberg's stages.¹² Kohlberg's theoretical basis for selecting justice as the cornerstone of moral development came from his interpretation of Plato's Republic.¹³ In Plato's Republic Socrates is intellectualizing about justice -- a mental function associated with males.

Gilligan studied women and developed an explanation of women's development that led to her explication of the care orientation. Attributes of each respective orientation are as follows:

The justice orientation is concerned with rights, exercising justice, obeying rules, and upholding principles; logical and individualistic, this male voice advocated equality, reciprocity, autonomy and individuation. "The other voice, more dominant in women than in men, speaks of caring for others, sensitivity to others, concern for others, and connectedness to others. It emphasizes responsibility to human beings over abstract principles and advocates avoiding hurt and violence, maintaining relationships and attachments even if self-sacrifice becomes necessary. In short, this female voice represents the 'interpersonal network' or care orientation."¹⁴

Pollack and Gilligan find that the distribution of males and females into the two orientations is gender related, but not sex determined.¹⁵ From

analyzing six separate studies Pollack and Gilligan found the following distributions:

Table 1. Distribution of orientations by Gender.

Care Orientation			
	Prefer	Include	Exclude
Females	92%	62%	8%
Males	62%	7%	38%

Justice Orientation			
	Prefer	Include	Exclude
Females	77%	38%	26%
Males	100%	93%	0%

Source: Pollack & Gilligan.¹⁵

Gilligan maintains that men and women have a different view of competitive success that is reflected in their moral orientations.¹² She finds that some successful and achieving women do not mention their academic and professional selves when describing themselves. Many see their professional activities as jeopardizing their sense of self. They see conflict between achievement and care.

While females may be disadvantaged in competitive circumstances by their moral orientation, males are disadvantaged in relationships by theirs.¹⁶ The point concerning salaries is that the care orientation, whether held by

males or females may negatively affect salaries.

The male view -- found in the justice orientation -- has dominated literature and research in moral development, and has been used by many educators as their underlying educational philosophy. Cooper,¹⁷ for example, finds that the justice orientation dominates nursing literature, while the care orientation best reflects nursing practice.

Rhodes¹⁸ has noted that the code of ethics of social work -- another care-oriented profession -- is written in the male voice. Davis¹⁹ has observed that in social work researchers and academics are typically males and practitioners females. She believes that the dominance of the male voice has suppressed the female voice and has led women to distrust their own voice. A career counselor, Stonewater,²⁰ suggests that women limit their career options by exclusive use of the female voice.

Other effects of the care orientation may be found in women's preference to work near their residence.²¹ Beyond the geographic constraint, Rothblum, has found that women fare less well than men when they do move.²² Men are twice as likely to go to a higher level in academia when moving than women. Because of this, women often leave academia when dissatisfied, men move. Additionally, women often do not wish to sacrifice relationships for promotion. They do not see pulling up stakes as worth the price for a promotion.

Interestingly, in one care-dominated profession -- social work -- one recent study found that gender was not a predictor of salary among

bachelor's program directors.²³ In 1991, Harper replicated a study she did in 1985 and found the gender gap in preference of male directors was no longer present. She attributed this change to several factors: the Council on Social Work Education's policies, especially its policy on affirmative action; networking, workshops and papers by female social workers; and settling equity disputes through litigation.

Until recently, however, women in academia did not have the same access to courts other women had to settle equity disputes. This is true even though the work patterns that existed with women in academia in the 60s persisted into the 80s.²⁴ Women in academia remain in low paying jobs and the gap in earnings goes up as education levels go up. women in colleges remain in lower academic ranks and nontenured positions. Additionally, they are paid less than males, promoted more slowly, and receive tenure at lower rates.

During the Reagan Era, the administration felt that education should be free to discriminate in areas not receiving federal aid.²⁵ Concomitantly, the courts felt that job-related skills could result in legitimate and lawful salary differences.²⁶ Courts did not consider this discriminatory under the Equal Pay act since federal statutes did not forbid discrimination because of academic discipline.²⁷ Part of the court's reasoning was the assumption that higher education functioned under a market economy that was unbiased. Under this reasoning they did not recognize comparable worth claims. Their supposition that pay is related to performance in free markets is not

supported by studies. Once a department is disadvantaged, however, it stays disadvantaged -- whatever the cause. Additionally, salaries, in higher education as elsewhere, are set not by market, but practice, practice that reflects convention and tradition.

Under more recent rulings, employers must defend themselves to prove they would have made the same decision despite discrimination.²⁸ Now courts analyze the merit of a candidate's qualifications if a university had granted tenure, but for discrimination.²⁹ This new reasoning balances the university's right to academic freedom against the employees right to a job free of discrimination. Brammer predicts this opinion may lead to the breakdown of the traditional tenure-decision process.

The change in the court's reasoning is important, but its importance may be foreshadowed by the recent change in administration. Under recent administrations, the social equality gains of the 60s and 70s have slowly eroded.³⁰ This is due to the lack of an anti-discrimination plank in the administration's agenda.

In the 70s the discrimination effect was reduced by 20.4 percent; during the 80s this slowed to 3.9 percent.³¹ Bureaucratic personnel policies helped equalize opportunities in the 70s, but federal agencies were more impressive in their effects.

The effect of national policy can be seen in the fact that the U.S. has no coherent national family and gender policy, while Scandinavian countries do.³² The U.S. is the only industrialized country without maternity leave; it

has the greatest inequities in gender-based pay; and it has the lowest representation of women in the national legislature of any Western country other than Greece.

To remedy the gender inequities in academia, one academician has suggested a coherent gender policy in higher education.³³ While this is needed, the most productive efforts to remedy inequities in women's pay can be placed in two areas, each related to the other. First, the U. S. must have more women represented in the national legislature, just as in Scandinavia. This does not obviate the need to have more women in local and state governmental bodies. Second, the U. S. must develop a national family and gender policy. There have been fairly recent attempts to pass a national family policy, but they have not been successful. These changes must occur because if one among us is treated unjustly, we all are. We cannot afford to allow outdated, patriarchal, sexist traditions -- traditions that are often unexamined, deep-structured, elements of thinking -- to continue the waste of human talent that gender-based discrimination allows.

It is important to note that unexamined, deep structured thinking often occurs in a cultural and individual blind spot -- in both genders. we find it difficult to recognize even if we are looking for it, and even if we consciously try to eliminate it, it appears when we least expect it.

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