



THE UNIVERSITY *of* EDINBURGH

Edinburgh Research Explorer

Constrained morality in the professional work of corporate lawyers

Citation for published version:

Chow, D & Calvard, TS 2020, 'Constrained morality in the professional work of corporate lawyers', *Journal of Business Ethics*. <https://doi.org/10.1007%2Fs10551-020-04634-x>

Digital Object Identifier (DOI):

[10.1007%2Fs10551-020-04634-x](https://doi.org/10.1007%2Fs10551-020-04634-x)

Link:

[Link to publication record in Edinburgh Research Explorer](#)

Document Version:

Peer reviewed version

Published In:

Journal of Business Ethics

Publisher Rights Statement:

This is a post-peer-review, pre-copyedit version of an article published in the Journal of Business Ethics. The final authenticated version is available online at: <https://link.springer.com/article/10.1007%2Fs10551-020-04634-x>

General rights

Copyright for the publications made accessible via the Edinburgh Research Explorer is retained by the author(s) and / or other copyright owners and it is a condition of accessing these publications that users recognise and abide by the legal requirements associated with these rights.

Take down policy

The University of Edinburgh has made every reasonable effort to ensure that Edinburgh Research Explorer content complies with UK legislation. If you believe that the public display of this file breaches copyright please contact openaccess@ed.ac.uk providing details, and we will remove access to the work immediately and investigate your claim.



Constrained morality in the professional work of corporate lawyers**Abstract**

In this article, we contribute to sociological literatures on morality, professional and institutional contexts, and morally stigmatized ‘dirty work’ by emphasizing and exploring how they mutually inform one another in lawyers’ work activities. Drawing on interview data with 58 practitioners in the commercial legal industry in Singapore, we analyze how they experience professional and institutional constraints on the expressions of morality in their work. Our findings illustrate how a dominant managerial and economic focus maintains and reproduces a constrained form of morality, limited to instrumental, utilitarian and commercial ends, and subordinated to lucrative client and firm interests. We discuss our findings in terms of the need to reform professions to allow for a more rounded and unconstrained moral reflexivity and autonomy in how work is undertaken and valued. This in turn has implications for how organizations and professions might achieve alternative moral institutional orders, and for legal work to avoid the moral and social taints of dirty work.

Keywords

Dirty work, institutions, lawyers, morality, professions

Introduction

Understanding morality through a sociological, pluralistic and contextual lens has gained a renewed emphasis in the social sciences, partly as a critical response to more psychological, scientific views that reduce morality to ‘thin’ kinds of generalizing and individual moral judgment (Abend, 2013). This renewed social emphasis on the sociology of morality has to do with an agenda focused on “[o]rganizations, organizational arrangements, and social networks: their effects on moral actions, views, and society-level outcomes” (Abend, 2010, p.580).

Research on ‘rediscovering the moral’ in work activities and social relations involves recognizing the role of evaluative norms and meanings appropriated and upheld in contextualized interactions, where actors address, narrate, confront, and account for their morality in relation to specific identities (Shadnam, 2015). However, other theoretical lenses that focus on rational actors or structural control assumptions fail to recognize in full how morality can vary according to the situation (Farjoun, Ansell & Boin, 2015). Morality is under-theorized in how it varies according to context and how context conditions it (Johns, 2017; Shadnam, 2015).

The current article contributes to this renewed sociology of morality by considering how actors navigate and make sense of morality in the work context and activities of corporate lawyers within the Singapore legal sector. The changing moral complexity of the legal sector relates to lawyers having to navigate various professional and institutional logics, systems and initiatives associated with partners, clients, and advisors, as well as evolving legal principles and frameworks (Faulconbridge & Muzio, 2008; Kipnis, 1991; Mescher, 2008). This study therefore uses an institutional perspective to lay the foundation for a sociological perspective of morality (Shadnam & Lawrence, 2011). This view treats individuals’ moral subjectivity in terms of social constructions that mediate between their acceptance of external, proclaimed truths and the beliefs arising from their unique experiences (Abbott & Mackinnon, 2018).

Actors have moral autonomy to the extent that they give institutions ‘moral charge’ via their beliefs in feedback loops, arising from their idiosyncratic personal histories and memberships of various moral communities (Shadnam & Lawrence, 2011). An institutional lens on the sociology of morality is complementary because of its explicit concern with the interplay of relationships between individual and collective beliefs through the collective social structures in which norms, rules and beliefs are anchored (Shadnam & Lawrence, 2011).

We argue that the professional work of lawyers presents an important sociological and moral context for study, because it shows how the commercial modernization of work powerfully reshapes traditional social and moral values. The legal profession is even more conservative than accountancy, among the more commercial professions (Anderson-Gough, Grey, & Robson, 2001; Greenwood & Suddaby, 2006). However, the nature of legal work and the profession itself is changing profoundly due to economic globalization (Chow and Tsui-Auch, 2018; Flood, 1996). Increasing commercial pressures on the profession have been driven by growing preferences for alternative fee arrangements at the expense of the traditional billable hours model (Khushal, 2006; *The Economist*, 2011), and the need to offer clients one-stop shopping for their legal needs across different jurisdictions (Silver, 2007). These trends, as well as technological changes, have together acted to put downward pressure on prices and increased competitive pressures for lawyers to add value to the services they offer clients.

This article therefore asks and explores how lawyers’ experiences and enactments of morality have been affected by the contextual influences of commodification induced by economic globalization. While prior research on the morality and ethics of legal work does exist, it remains relatively fragmented and limited, partly due to the difficulties of accessing an elite profession (Winter, 2011). We therefore aim to understand how economic and managerial influences constrain, enable and account for lawyers’ morality.

This aim contributes to an emerging stream of research illuminating how actors morally justify their work with reference to their professional and institutional context (Cohen & Dromi, 2018; Kärreman & Alvesson, 2009; Pratt et al., 2006). For example, Cohen and Dromi's (2018) study of US advertising professionals investigated their constructions of moral worth and self-perceptions, despite longstanding stigma and negative moral evaluations.

In addition, we suggest that, shaped by economic globalization, lawyering has the potential to become *dirty work* and increasingly stigmatized if lawyers do not try to manage challenges to their professional identity. Researchers have defined dirty work as work sullied by social, moral and/or physical taints (Ashforth, Kreiner, Clark & Fugate, 2007; Ashforth and Kreiner, 1999). In the legal profession, the potential for moral stigma arises from divergences between the lawyer's virtual or external social image and the social identity they hold about themselves. While ostensibly being a member of a high-status profession who does work that is well-paid, meaningful and intellectually challenging, lawyers' actual social identities may include doing 'intellectually vacuous work of questionable or negative social value for low pay' (Campos, 2015, p. 74). Lawyers' increasing commercial dependence on their clients to provide them with profit-making work renders them vulnerable to privileging these objectives over their duties to the court (Smets et al., 2012).

This shift in priorities sits uneasily with the legal profession's core ethos of being able to exercise professional independence, avoid conflicts of interest, uphold justice, as well as adhere to core professional virtues such as collegiality, honesty, and integrity (Fasterling, 2009). Overall, lawyers have a contradictory identity insofar as they are being morally 'spoiled' by their association with commercial managerial imperatives, but still defined by overarching professional moral values. Morality is constrained, but with some potential scope for acting and adapting differently in line with a variety of alternative scripts (Ashley & Empson, 2013; Campos, 2015; Fasterling, 2009).

In sum, the contributions of the current article are threefold and mutually reinforcing. First, to literature on the sociology of morality in terms of using corresponding sociological frameworks from literatures on professional work and institutional theory to better understand experiences of morality in specific work contexts. Second, to literature on professions in terms of how professional morality is constrained and enabled by various shifting institutional and organizational forces and conditions. Finally, we contribute to literature on dirty work, moral justifications and morally tainted work identities by exploring the various strategies used by the lawyers to manage the legitimacy of their identities. Together, these contributions also address how individuals ground and negotiate their professional identities against foundations of global capitalistic managerialism, with morality based on laissez-faire economics, utility maximization and instrumentalism as opposed to more humanistic values (Pirson, 2019; Wilson 2015).

The rest of this article proceeds by drawing together literature on professionals, and the socially and morally relevant influences on their identities, before presenting findings from an interview study of the commercial legal industry in Singapore. Finally, broader implications and conclusions are discussed regarding tensions inherent to shaping the future of morality in relation to the professions.

An institutional perspective on professions, markets and morality

This study builds on research taking an institutional perspective on organizational norms and practices (Adler & Kwon, 2013; Muzio, Brock, & Suddaby, 2013; Siebert, Wilson & Hamilton, 2017). Professions, including the legal profession, can be regarded as institutions (Siebert et al., 2017). This mode of inquiry draws on the work of Scott, which theorizes the professions as institutional creators, carriers, as well as custodians of, society's culture (Scott, 2008). Institutional theory also posits that markets represent social constructions, whereby consumers

and producers, shaping the relations of embedded market exchange, negotiate meanings of products or services (Fligstein & Dauter, 2007). Market stakeholders define what products are appropriate for exchange and negotiate rules and sanctions (Fligstein & Dauter, 2007).

From this institutional perspective, morality is also socially constructed in that it rests on moral legitimacy judgments about whether the activity is ‘the right thing to do’, as defined by audiences’ socially constructed value systems (Suchman, 1995). Morality is thus a compendium of the cultural repertoires accessible to actors, and how such understandings shape their perceptions (Lamont et al., 1996). At the same time, moral gradations of good or bad, right or wrong, and just or unjust are founded on prescriptions established through everyday discourse (Shadnam and Lawrence, 2011). Morality in the professions, from an institutional perspective, is thus embedded in nested intersubjective systems of communities, organizations and individuals, shaped reciprocally by downward flows of ideology (shared values, norms and standards), regulation (enforced social controls) and upward flows of ideas and influence (Shadnam & Lawrence, 2011).

Professional actors such as lawyers also face competing rationalities at different levels and from different constituents; rationalities that are defined institutionally for judging decisions and actions (Cloutier & Langley, 2007). Competing institutional rationalities reflect potential *moral* aspects of (non-)self-interested motives, *social* aspects of valuable stakeholder relationships, and *regulatory* aspects of adherence to external knowledge and standards (Cloutier & Langley, 2007). Morality is thus an emergent property of social systems, with actors negotiating various moral claims on their work as they continue to go about accomplishing it in practice (Elkjaer & Simpson, 2011). Where lawyers’ social practices are longstanding, established and interlocking in terms of institutional flows and rationalities, lawyers themselves may experience their practice in terms not only moral, but amoral and even immoral as well, where standards are narrowly defined or absent (e.g. Flynn, 1976).

Amorality indicates a loss of or liberation from personal responsibility (Mayntz, 1970), which could be institutionalized through a form of consenting false consciousness on the part of the actor(s) (Abbott & MacKinnon, 2018). Related but distinct, immorality emphasizes how deviant and dysfunctional practices sit within social structures and practices (Wozniak, 2009). Enron, for example, failed to incorporate moral tenets into the practices of its energy traders, and as a result, the latter's actions of manipulating energy prices was consistent with an institutionalized immorality that condoned such behavior (Shadnam & Lawrence, 2011). Similarly, in the former Yugoslavia under Prime Minister Tito, regardless of the official ideology declared by the state, the people were aware that it acted more in its own interests. People consequently kept a cynical distance from accepting official mantra, but at the same time experienced diminished personal responsibility and an amoral conformity to the institutional rituals and requirements of state bureaucracy (Abbott & MacKinnon, 2018).

In sum, institutional conditions can profoundly constrain and reshape forms of morality, legitimacy and rationality through the 'morally charged' interactions, text and talk across communities, organizations and individuals (Shadnam & Lawrence, 2011).

Professional values, morality and lawyers

A profession can be defined in general terms as a "certain type of occupation" characterized by "(1) abstract, specialized knowledge, (2) autonomy, (3) authority over clients and subordinate occupational groups, and (4) a certain degree of altruism" (Hodson & Sullivan, 2012, p. 260). There is now an established body of research on the types of core values associated with different professions (Anteby, Chan & DiBenigno, 2016). For example, during the industrial revolution in Victorian England, a core value of the accounting profession was to protect the public from market opportunism (Thornton, Jones & Kury, 2005). Similarly, for

architects, core values have included upholding principles of safety, beauty and utility (Thornton et al., 2005).

Regarding lawyers as the focus of the current study, traditional values include collegiality, consensus, and professional autonomy, and although the primary mission is to serve clients, “objectivity” is deemed critical (Greenwood & Suddaby, 2006). Beyond these values, a lawyer’s higher social purpose is to uphold his/her duty as officer of the court (according to Smets et al. 2012, p.885, this is termed as *Organ der Rechtspflege*, or “agent in the administration of justice”; c.f. also Chow, 2016). Morally, a lawyer should be “committed to serving justice in a higher and more disinterested sense” (Keillmann, 2006, p.311).

However, these traditional notions of lawyering derive from romanticized nineteenth-century archetypes, where professionals represented an elite class of aristocratic ‘gentlemen’ interested in acquiring knowledge for purposes of service to society, rather than for personal material gain (Greenwood & Suddaby, 2006). Nevertheless, scholars of legal ethics and morality continue to assert that lawyers serve an important gatekeeping function for society in terms of prescribing or developing norms (Hazard & Dondi, 2004). The practice of the law may, for instance, help in better articulating consumer rights (Chow & Tsui-Auch, 2019), or in serving expert judgments to the courts (Smets et al., 2012).

Dirty work, morality and professional identity

In tension with historical and idealized archetypes of professions and their values, however, are signs of increasing commodification of the legal profession’s services in a global market economy (e.g. Malloy, 2016). In terms of dirty work, this creates an increased potential for stigma or taint in the eyes of others – both *socially*, in terms of problematically servile relationships (i.e. serving particular clients), and *morally*, being of sinful or dubious virtue (i.e. exploiting legal systems for clients and profits) (Ashforth et al., 2007). This raises questions

around how legal practitioners justify, narrate and frame their work identities in ways that ensure positive validation despite the risk of dirty work taints and stigmatization (Ashforth et al., 2007).

For lawyers and legal work specifically, Fasterling (2009) summarizes the main tensions as being threefold. First, where a seamlessly globalized international legal practice enters into conflict with the legal ethical frameworks of different jurisdictions. Second, where the increasingly pronounced client orientation of a lawyer violates the tenet that lawyers should not be dominated by a single norm or interest. Finally, where the client orientation, organizational structure, and financing of a managerial law firm conflicts with basic assumptions on professional objectivity (Fasterling, 2009). These tensions signify that lawyers' professional identities are in danger of being 'spoiled' and their moral integrity eroded (Campos, 2015). Consistent with prior research, the commodification processes driven by global markets and client interests can redraw moral boundaries around professional work and other institutional practices. For example, Fourcade (2007) cites the case of how the transformation of the market for life insurance re-articulated the hitherto sacrosanct parent-child bond, and, separately, how the rapid intrusion of the monetary economy into Kabylia's precapitalist order transformed social relations and established gender relations.

In the literature on dirty work, we find that transgression of boundaries frequently involves taint. Attributions of 'dirt' are made to tasks or duties that seem to cross physical, social or moral boundaries, such as sacking people, or even conveying bad news (Dick, 2005). Moral taint can therefore occur when workers seemingly act beyond their professional remit, and professional work is particularly susceptible to demarcation challenges and contested meanings during its evolution (Lamont & Molnár, 2002). Incumbent professionals, for example, may compete with others within and across professions, for jurisdictional monopolies and securing legitimacy for their claimed expertise (Abbott, 1998; Lamont & Molnar, 2002).

The situation may be best summarized as follows: professionals often operate across changing boundaries and jurisdictions as gatekeepers, constructing varying degrees of moral legitimacy in terms of both *what* they are trading, and *how* they are trading it in their practice (Anteby, 2010).

Yet, despite a significant body of research into dirty work, ‘pure’ research into specific professions and sources and types of taint is still needed to identify specific dynamics and effects (Ashforth et al., 2007). Lawyers constitute an interesting case because they reflect a distinctive combination of high prestige and high moral taint (Ashforth et al., 2007). Furthermore, moral taint is arguably the most challenging type of stigma to try to address in maintaining positive work identities, because it is deemed most evil and least necessary (Ashforth & Kreiner, 2014).

Regarding their work identity more generally, professionals can engage in various tactics to reconcile discrepancies between how others see them and what they do, how they see themselves, and what they actually do on a daily basis (Kreiner, Hollensbe, and Sheep, 2006; Kyratsis, Atun, Phillips, Tracey & George, 2017; Pratt et al., 2006). For example, when physicians face mismatched expectations between their identity and their work, they engage in identity customization processes to adjust and rearticulate expectations and self-definitions (Pratt et al., 2006). The work of professionals can be demanding and threatening in terms of the expectations around who they are, what they represent and what they should or should not be doing in their working lives (Kreiner et al., 2006; Kyratsis et al., 2017). However, in past research, these identity work and identity threat concerns have not been explicitly or fully connected with morality, dirty work, or changing institutional and professional contexts.

In sum, we seek to build on and extend the work reviewed above by bringing together perspectives on institutional and professional morality to ask *how lawyers experience moral tensions relating to their professional identity and potential dirty work stigma, against a*

changing context of globalized, commodified services. This constitutes a contribution to the sociology of morality in developing an understanding of how professionals change, or fail to change, their identities in line with changing social and moral boundaries and the wider social structures of professional and institutional contexts (Anteby, 2010; Anteby et al., 2016; Moore & Grandy, 2017; Shadnam, 2015; Shadnam & Lawrence, 2011). This has important implications, both immediate and longer-term, for the legal profession at large as well as for other stakeholders and similar settings.

Method

Restated, our research question focused on *how lawyers experienced their professional identity and morality against a changing institutional and professional context of increased commodification pressures.* Based on extant research which shows that commodification processes can redraw moral boundaries around professional work as well as other institutional practices (Bourdieu, 2000; Fourcade, 2007; Fourcade & Healy, 2007), we expected that the lawyers would probably face some kinds of strain or tension that might lead to some form of social and moral reflection on their part (c.f also Brown, 2015).

Our sample was comprised of corporate legal professionals from Singapore, allowing us to focus on a particularly open economy with a heavy dependence on global trade and multinational corporations (MNCs) playing an influential role (Chow & Tsui-Auch, 2019). Singapore provides a prominent, globalized context for examining debates relating to the modernization of legal work, with some global relevance for contemporary professional and institutional contexts. Initial interviews took place in 2012, with further rounds up until 2019. The first author used personal and professional connections to find initial interviewees, followed by snowball, formal and opportunistic sampling. The first author conducted the interviews and repeat interviews with the same participants in many cases.

Fifty-eight corporate lawyers participated, working across a wide spectrum of twenty-seven organizations associated with the legal industry in Singapore. All except two were qualified as lawyers and had passed the Singapore bar, and the two exceptions were part of the main support function of their respective law firms, offering some additional perspective. Participants occupied a variety of positions (e.g., partner, associate, trainee), and on average had over a decade of work experience in the industry. We present quotes with the names of organizations anonymously, according to Greek and Roman god nomenclature, along with the position of the interviewee.

We deployed a semi-structured interview protocol that probed for challenges to lawyers' work and everyday activities (Ashforth et al., 2007), using an inductive qualitative method to develop theory on their social constructions of morality and legitimacy as experienced in their work contexts (Glaser & Strauss, 1967; Strauss & Corbin, 1998). Interviewees were encouraged to speak freely and candidly about their socialization into the profession, their work activities, relationships and careers to date. When lawyers mentioned challenging aspects to their work in terms of professional and institutional constraints, pressures and changes, we probed around whether, and how, such conditions might affect their feelings and views toward performing their work.

Interview duration ranged from 20 minutes to 2 hours and 9 minutes (46 minutes on average), and many interviewees consented to second or third interviews. Repeat interviews with the same interviewees helped improve the internal validity of the study through checks and clarifications of key points (Cook & Campbell, 1979). About half the interviewees consented to their interviews being audio recorded; however, others did not, so detailed quotes were taken down during the interview and answers transcribed within 24 hours.

We analyzed interview data using an interpretive and phenomenological approach that meant privileging subjective experiences of institutions and institutional change (Suddaby,

2010). Phenomenology emphasizes how individuals subjectively experience phenomena in situ (Gill, 2014), and could therefore be used here to frame subjective reflections on social and moral perceptions within an institutional context. We were interested in how individuals described which actions they prioritized in enacting their professional identities, as well as how it felt to be a member of a profession in their own eyes and from the perceived viewpoints of others. In phenomenological terms, we focused squarely on the day-to-day descriptions of situational data given by those experiencing them (Giorgi, 2006).

Both authors independently content-analyzed the data and then used a two-step fine-coding system in which the codes were first derived inductively from the data, and then further discussed and agreed upon (e.g. Kreiner et al., 2006). The authors coded data guided by the research question and relevant literatures on morality and institutional, professional and dirty work, but themes also emerged naturally through the course of discussions. Discussions focused on clarifying the properties of relevant concepts and highlighting novel and compelling aspects of the data (Miles & Huberman, 1994). Both authors iterated several times between data and theoretical perspectives until theoretical saturation (Eisenhardt, 1989; Glaser & Strauss, 1967). NVivo software was used to enter and refine codes, explore connections between them, and search text for key words and phrases.

Findings

We present findings in terms of two overarching and complementary themes – *challenges constraining lawyers' expressions of morality in their work* and *lawyers' identity management tactics*. The latter reflected responses to the former. Constraining challenges contained three sub-themes – *lack of respect for professional boundaries*, *unexpected job enlargement*, and *lack of organizational and professional community support*. Identity management tactics

contained four sub-themes – *delegating moral responsibility*, *assuming managerial values*, *deemphasizing moral work content*, and *defensive reactivity to morality*.

Challenges constraining lawyers' morality

In line with the sociology of morality literature, we found that as organizational actors, lawyers experienced their morality with reference to context-specific norms and meanings associated with their work identities and social interactions (Shadnam, 2015). Specifically, the corporate lawyers interviewed expressed cynicism about any high social or moral status in their profession, consistent with conceptions of lawyering as dirty work (Ashforth et al., 2007). The lawyers also related this cynicism to challenges constraining the role and expression of morality in their work; challenges related to changing professional and institutional conditions (Shadnam & Lawrence, 2011).

First, lawyers discussed a general *lack of respect for professional boundaries*, from clients, bosses and even between lawyers themselves. For instance, lawyers in practice described how in-house counsel from client companies always wanted them to assume liability for decisions on whether something was legal or not. Professional responsibilities and pressures were passed around between clients, in-house legal teams and opposing legal teams:

For work that they [in-house counsel] farm out to private practice [lawyers in law firms] they have cleared the conscience barrier. They are saying that there's no conflict, sure [sarcastic]...for external work of course there is no conflict. It is work that they can't farm out that they find difficult - their conscience would prick them more then. Their compliance team will start to wilt, the commercial realities will start to be shoved up their ass (Consultant, Law Firm Janus).

In this way, legal work had become increasingly difficult, in terms of having to balance “issues of compliance with creative solutions for clients who expect that” (Partner 5, Law Firm

Vulcan). It reflected a difficult professional task that to an extent, nobody wanted to do, but ultimately someone had to. Consistent with relations between distancing and stigma of dirty work (Ashforth & Kreiner, 1999), shifting and permeable professional boundaries posed a challenge to assuming moral responsibility, by making it something structurally transferable and avoidable.

Lawyers also reported challenges at professional boundaries with clients, requiring that they report and relate to them in increasingly servile ways. Interviewees felt their influence had been reduced to simply ‘rubber stamping’ support and approval for many of their clients’ activities, and in this way, evinced a certain learned helplessness around morality in these situations. Interviewees alluded to practices that made them feel increasingly disempowered and de-professionalized, including an extreme emphasis on targets, billable hours, being accountable to a partnership-at-large, and having to focus on marketing their service, duties that they never had to bother with before.

They [the clients] are always our boss and we have to toe the line to do whatever they tell us to do, bend backwards for them...in the past...you were more in a position to choose your clients, and even dictate the terms but now...you really have less bargaining power. They will just push you down, especially on fees (Partner 5, Law firm Vulcan).

Some clients can be quite unreasonable...they feel that they're paying you, so they expect you to work very, very late. They think they're the only clients...I mean if you really respect the profession, if the lawyer says, ‘oh I can't do this today, I can only do it tomorrow’, they'd say, ‘okay, okay’. But no, nowadays, they say no to tomorrow! (Senior Associate 1, Law firm Vesta)

Lawyers' bosses also appeared to be insensitive to their need to maintain a certain professional gravitas in front of the clients, and instead they simply advised the lawyers to "keep close to [the] clients" (Partner 2, Law Firm Vulcan).

My boss calls me, and lunchtime is 1 to 2pm...he calls me in at 12:55pm, wants me to take instructions, get me to work on this thing. I'll go get my notepad, [and say] 'Okay, what's going on'. And I know it's lunch! (Partner 1, Law Firm Vulcan).

A second challenge constraining lawyers' morality also involved the transgression of boundaries associated with dirty work and moral taint (Ashforth & Kreiner, 1999; Dick, 2005). This concerned the *unexpected job enlargement* where lawyers described doing work that they did not feel equipped to do, because of a lack of training or because they felt it was morally questionable. Competitive pressures had resulted in the relationship between clients and lawyers becoming increasingly rent-based and commercially oriented, moral considerations constrained and subsumed under providing commercially and legally viable client solutions. For example, given that corporate legal work tended to cross jurisdictions more, there was a greater need for seamless product offerings, and clients demanded ever-greater business knowledge, particularly in the areas of corporate and financial service advice. Some lawyers evinced discomfort with this, and one lawyer cited how, in addition to helping to structure complex financial instruments, lawyers might even have to be involved at the point where client banks came up with new ideas with respect to product offerings:

The legal practitioner needs to understand the business of the client more... [and] in the investment field, there are more innovative products, so the clients' need has evolved...in addition to the very legalistic work they want to ask you more about the structuring of the fund...[and] you may even have to be involved at the structuring of the product stage (Partner 5, Law Firm Vulcan).

Such comments appeared to reflect an increased commercialization of professional identity. The lawyers also noted how their role had changed toward the client. Rather than being revered for their professional knowledge, clients saw them as having to adapt the legal framework to meet their needs. In terms of job enlargement, lawyers attested to how the clients were able to extract more from them in a relationship based on increased rent seeking, and their experience and practice of morality was highly constrained by these commercialized professional exchanges.

[There is] an increasing demand from the client to get ‘more for less’...which means increasingly sophisticated legal advice...not just in terms of what the law says, but interfacing law with other facilities, for example, project management...the client may not hire someone who gives good legal advice but rather someone who can manage the whole project... (Partner 2, Law Firm Ceres).

Lawyers felt some conflict with their professional values where work contradicted their traditional role as gatekeepers of societal morality. Legal work had less to do with advocating observance of the law, and more to do with what comprised “good business strategy for [the client], shrewd business practice, risk minimization, and...covering the client’s ass” (Academic 1, University Enyalius). One partner described this long-term challenge of professional socialization:

People may not be aware, [and] law school may not have taught you, that law is as much a business as a profession. In law school you think law is a profession, it’s a noble profession, that’s what law school tells you, you’re an officer of the court, and all that. But, in your first, second, third year you learn...it’s a sales job (Partner 1, Law firm Quirinus).

Legal practice had changed such that it “didn’t increase access to justice” (Partner 1, Law firm Mars), and that lawyers were being “forced to be businesspeople which they were not” (Partner 1, Law firm Mars). This commercial enlargement and distortion of the job manifested in pessimism for future practice trends, such as the movement toward contingency fee models, meaning access to justice would become more skewed toward only those wealthy enough to afford high fees. Under such arrangements, lawyers would only get paid for winning a deal, “forcing them to be gamblers...and only do[ing] ‘the sure-win cases’ ” or serving those “high net-worth” clients that were “bound to pay” (Partner 1, Law firm Mars).

These findings highlight the conflict between the managerial rationality of the law firm and the traditional practice of core legal values, driven by an increasingly pronounced client orientation of the lawyer (Fasterling, 2009). In sum, there was pressure to take legal positions on which they were not entirely comfortable with, as well as an expansion of their jurisdiction into more unfamiliar tasks. This expanded and enlarged orientation toward clients threatened professional objectivity and independent morality.

A third and final theme reflecting challenges constraining lawyers’ morality in their work was the *lack of organizational and professional community support* for helping lawyers manage any evolving or developing moral identity. Other than the consistent mantra to “keep close to the clients”, there was a lack of communication from bosses and professional community members alike as to how to morally address pressures of economic globalization. Law Society members were described as “not interested in shaping the legal consciousness of society”, and “more passive than proactive”. Some interviewees noted that, in general, whenever there was a change in the constitutional legal environment, media comments tended to come from a few individual lawyers on an ad hoc basis, since most lawyers were too busy or disinterested to offer their opinions. This did not represent collective views, with the issue being that “the law society is not playing its role. In a way, sadly, the law society is run by

people from big firms. So why should they care”, (Consultant, Law Firm Janus), since such individuals were too busy with the managerial administration of their firms.

Large firms being in charge of the voice of the professional community posed a problem for more morally responsible practice, since they tended to be guided by an economistic frame emphasizing amorality, individualism and utility maximization at the expense of more humanistic concerns (Pirson, 2020). Shifting from individualism to more collective approaches and ensuring diverse voices and explicit direction represented a challenge.

If there’s a collective approach...I think it’s easier to see where you stand...[but] if the law society hasn’t played their role then the little lawyer has to manage as best he can (Consultant, Law Firm Janus).

While senior managers of law firms did provide a modicum of support for lawyers, this was only in terms of advising them on the kind of specific risk they were comfortable with assuming for particular cases.

If it’s a matter of critical importance, then we’ll have to check with senior management, on which way we can go. Obviously, senior management has the experience and a deeper understanding on what they can and cannot give (Partner 2, Law Firm Vulcan).

This was consistent with lawyers needing to uphold a modicum of professional standards from within the confines of the law. However, an ability to uphold professional standards was generally unsupported and contingent upon a lawyer’s personality, influence from peers and other competitive pressures.

It can vary from lawyer to lawyer. There are lawyers who don’t think so much about social purpose but then that’s probably ingrained in their character already. Different lawyers bring different personalities to the office and some may be more concerned

about what's right and wrong whereas there are maybe others who are more 'grey' (Partner 1, Law Firm Vulcan).

Overall, most lawyers conveyed a sense of the social and moral opacity of law firms as well as the professional community, and felt that these did not render sufficient help where managing their changing professional identity was concerned.

Identity management tactics in the face of constrained morality

We found that lawyers undertook certain tactics to manage the challenges constraining their morality they faced at work, as described in the previous section. These tactics resembled responses to identity threat to either protect an existing identity, and/or to restructure the threatened identity in order to make it less vulnerable to potential harm (Petriglieri, 2011).

First, corporate lawyers frequently reported *delegating moral responsibility*, protecting their professional identities by insisting that it was not their job, but that of others, to be responsible for moral engagement. For example, lawyers from larger firms felt that smaller outfits could hold more responsibility, since larger firms tended to deal with the most corporate law, an area with supposedly less moral content. Even within corporate law, it was mostly the court lawyer or litigator's job to care about inquiring into societal morality. Lawyers from larger firms noted that those from smaller firms should have more room to be gatekeepers, since they might be sole proprietorships with more freedom to decide on their social mission in relation to maximizing profits.

It's not up to you to make decisions about [social and moral] conflict. But if you're say, in a sole proprietorship, this month you are not profitable, then you can say...I haven't met my quota so I'll just make less income...but here, for the bigger firms...it's not possible. It's the whole setup (Consultant, Law firm Janus).

The court lawyers or litigators, they deal more with the public at large in different sectors, and try to enforce certain norms of what the law says, what the regulations are. I think that is more of the court lawyer's job because they deal with more issues, on crimes, family issues, and even corporate disputes (Partner 3, Law firm Vulcan).

Similarly, lawyers tried to explain the marginalization of pro bono (work for no charge) and altruistic legal work by delegating moral responsibility outward to the organization's strategic control and alternative jurisdictions and environments beyond. Most of the lawyers interviewed did not actively engage in altruistic legal work, instead locating their identities and responsibilities within the constrained remit of their organizational work, insisting that trying to dictate firm policy would constitute an overstepping of professional boundaries.

The institutionalized pay and seniority structures in large firms meant a limited scope for moral action and inquiry, with interviewees stating "this is the difficulty of a junior lawyer" (Associate 1, Law firm Portunus) and feeling like "just a cog in the machine of bureaucracy" (Partner 1, Law firm Vulcan). The socialization experience was one where:

Being part of a big firm shapes how you develop as a lawyer in a big way. If my firm requires me to sit at my desk and churn out the [fee-paying] work 24/7 then so be it...
(Senior Associate 3, Law firm Aristaeus)

Lawyers reasoned with themselves that they were not consulted about the strategic direction of the firm, and hence not responsible for its actions, referencing the firm's partnership as an excuse for inaction, and avoiding activities that might disrupt current institutional arrangements. Accountability to the partnership held a coercive power for them, precluding moral and social autonomy through established policies, routines and hierarchies.

If I'm in a small firm, if someone comes to me and says 'I have got this problem with payment...can I pay by instalments?' I'll say 'no problem', sure. But for a large firm,

it will almost be a policy—it cannot be by instalment. We cannot discuss individual cases. Otherwise the partnership meetings will go on and on forever! (Consultant, Law Firm Janus).

You have to first justify that you are on top of things...doing your work properly before you can ask your superiors whether it's possible to take on a case that is more meaningful. At least that's what I expect of myself. I think I should first be managing my files perfectly, and having no issues! (Associate 1, Law Firm Portunus)

There was also a sense of nostalgia for when more direct legal relations between church and state had made moral responsibility more institutionalized:

A lot of legal practices, and even why lawyers wear black robes which look almost monastic, has to do with the fact that, at one point, church law and state law were fused. But of course that has become separate. The purpose of lawyers back then...I think they were more philosophical. They would decide how church canon ought to be implemented, provide interpretations of certain laws, and so on. The majority of lawyers in medieval Europe were churchmen. (Academic 1, University Enyalius).

Second, corporate lawyers restructured their professional identities by *assuming managerial values* to a greater degree, subscribing to the norms or acting in accord with the tenets of managerialism. Marketization of professional work creates powerful demands to comply with managerial administration and targets while downplaying more challenging moral objectives that promote the public good (Alvesson & Spicer, 2016). The lawyers studied emphasized career goals of becoming partner and climbing their organizational hierarchy by remaining complicit with management and assuming and enacting managerial values, socialized by more advanced colleagues and specialized development pathways.

So management says ‘we know you, we see you’. Right? You rise through the ranks faster, and you are partner. You are partner—you have more control over your life...your pay, I suppose. Yeah...that is attractive (Partner 2, Law Firm Vulcan).

The legal partnership structure and hierarchy appeared designed to create a forceful pressure linking interdependent senior and junior colleagues in transmitting a constrained morality based on identity development in terms of career development and organizational success. Senior lawyers talked about how younger lawyers had aspirations toward a higher pay and standard of living, and that if senior lawyers did not meet their billings targets, the partnership would be holding younger lawyers back:

If you are not hitting your billing target, you may affect your juniors. They will say, ‘are you kidding?’ They have their aspirations; they want to hit their pay scale...they want you to take them there. At the partner level, you can be happy to make less income, but still you can’t. It’s just how it’s structured. (Consultant, Law firm Janus)

Assuming managerial values helped the lawyers protect against any moral taint that might adhere to their work. Maintaining a positive professional identity in terms of managerial values of career advancement and organizational profitability presented as a choice, a logic set apart from moral and societal accountability.

If I don’t buy into that whole calculus of how you give back to society, then I don’t have to account for my life’s CV to anyone. Codes of conduct just become checklists for you to take note of, for some sort of self-awareness, I guess. But then if I don’t really buy into that calculus...it’s ok. (Senior Associate 1, Law Firm Minerva).

Some lawyers argued that the law firm must be making considerable profits to be “a going concern”, although this left unresolved where any line ought to be drawn between earning enough versus too much, and when the firm ought to “give back to society”. Regarding forces

for change that might challenge the prevailing managerial order, such as new CSR policies or government-mandated pro bono legal work, they deflected them with ambivalence, doubt and cynicism, and as incompatible with managerial identity work.

I try to believe in it [the mission of the organization], albeit not a hundred percent (Partner 1, Law Firm Vulcan).

The law firm is never anything but cost conscious and profit maximizing (Senior Associate 3, Law Firm Vulcan).

Morally and socially, dirty work often involves ambivalence, where organizational or professional identification tends to assume a stable equilibrium in the short term (Ashforth et al., 2007), but with doubts lingering about what tensions of inclusion and exclusion an identity might conceal. Individuals can simultaneously identify and dis-identify with their work at the same time, variously connecting with some aspects of their work while avoiding other aspects (Kreiner & Ashforth, 2004).

Even where pro bono legal work was undertaken, interviewees explained it in terms of managerial motivations and identity work.

For selfish reasons, lawyers want to get some publicity by helping clients with pro bono work and then they can get some legal work from them. They happily help the financial institutions...everyone may be doing it for their own selfish reasons (Senior Associate 1, Law firm Aristaeus).

Managerialism here also included identifying with the social servility and instrumentality of client management – expressing the same social values as important clients, and not taking on contentious cases (e.g. pro-tobacco company cases), as appropriate to the organization.

At the end of the day if you are a law firm and you want to get work from your clients, you want to show that you share the same values (Partner 1, Law Firm Vulcan).

It is the work and the people you interact with - because everyone is trying to achieve some commercial objective, such as fund managers, you will be shaped by that. You tone down on the gatekeeping role because you want to help them achieve their objectives (Senior Associate 3, Law Firm Aristaeus).

Third, lawyers were concerned with *deemphasizing moral work content*, strenuously talking about their work as if it had no/little moral content, as well as actively denying, stripping, and bowdlerising it of such content where it was implied. Deploying a morally reductive language of regulation and compliance was one way to enact this.

I am not sugar coating the work. The man on the street should be warned...I am doing it because it is a regulatory requirement and because I'm just doing my job (Senior Associate 4, Law Firm Aristaeus).

Today a fundamental misconception is that lawyers exist to promote the observance of the law. In a sense they do, because a commercial lawyer, being instructed by clients, your duty is to point out to clients what the issues of compliance are, so that they don't get into trouble. But you're not actively telling them the law is good, therefore obey it - you're telling them this is the shape of things, this is how you avoid liability (Academic 1, University Enyalius).

Incising work of its moral content could also be viewed as a form of identity 'parking', which involves a setting aside of one potential professional identity in order to fully engage with the changing demands of the current work situation (Chen & Reay, 2020).

Social mission, pro bono and all that...what for? I don't even have time to think when I'm in practice. I just do what I'm hired for, what I'm paid for. This is my job. There's no need to do other things (Academic 4, University Enyalius).

Suspending normative judgements on the state of their work and professional identity helped the lawyers to cope with the changing realities of their work situation. Respondents placed morality firmly outside of a demanding working life, as something more personal, alternative, and/or compensatory.

I will tell myself...there are many other ways I can contribute [to society]...but it does not have to be work. I can do volunteer work... clean up somebody's house, or I can help through donation or whatever (Senior Associate 4, Law Firm Aristaeus).

The kind of volunteer work that I'm interested in is of the non-legal variety. So I do volunteer for charity, for club rainbow...you know, kids with chronic medical conditions. Honestly, that is easier to go about (Associate 1, Law firm Portunus).

Lawyers described the work of client management in morally deemphasized terms as involving diplomacy and tact – making clients feel heard in their concerns even though they could not directly address them.

I've been able to handle clients quite well...If I've already stated my position and they still don't agree with me, I will just stop myself, and say 'this is the position but let me check internally'. You know, then the client will feel better that you checked. A few hours later, I'll call them and say, 'I've checked internally with my partners and they all agree with me' (Senior Associate 1, Law firm Vesta).

Most lawyers showed some empathy and adjustment toward clients in their work, but also used “senior management” as the final moral arbiter on the kind of risk and responsibility they were prepared to assume. Lawyers minimized and limited morality and moral autonomy to some client and service adjustment within the prevailing institutional and professional order, often referring back to a fundamental web of commercial obligations.

It's all about delivering the work and making clients happy. All of that comes down to dollars and cents. So there's no real social aspect to it apart from communications with clients and making them feel comfortable (Senior Associate 4, Law firm Vulcan).

Fourth and final, the corporate lawyers protected their professional identities from any social or moral threats by *defensive reactivity to morality*, using rationalization tactics to justify and explain their moral inertia and lack of willingness or capacity to affect any change in the status quo.

Why should lawyers be held to a higher standard than people in other jobs? We are institutionalized and have a code of conduct to abide by...maybe other jobs don't have that...But I can think of many examples of people in other jobs who earn more, so we don't necessarily need to give back more (Senior Associate 1, Law Firm Minerva).

It's all about survival. There is just no time. If they want to us to serve more of a social mission, I think they should institutionalize it within the law firms. We do not decide such things. We cannot decide. Basically, firms should institutionalize everything if they want us to do it (Academic 4, University Enyalius).

Respondents rationalized a lack of interest in the exercise of independent morality within the profession again as constrained and justified by the interests, needs and demands of the organization and client ecosystem.

The primary focus everyone remembers is that you are a business organisation. What's the priority...of course, the business. Without the business you can't do CSR. There would be no social responsibility to talk about (Partner 1, Law Firm Vulcan).

All this pro bono work is a thankless job. The people who come to see you, they're just out there to see what they can get out of you...it's very draining, and they just come to you to vent. They have these issues and they just want to gripe. Something like what a

(government) minister must feel when he meets constituents at a public meet-the-people session. They take advantage of you sometimes (Academic 4, University Enyalius).

Defensive blaming, distancing and rationalization is a common theme in dirty work identity construction (Ashforth et al., 2007), a way of locating the cause of any stigma elsewhere in a system, and to separate oneself from dealing with direct, personal attributions of dirtiness. The lawyers here were able to marginalize any non-commercial morality of their work activities to the extent that they could find defensive, negative and amoral justifications - for not engaging in altruistic legal work, for example.

These defensive, reactive positions appeared to help maintain beliefs in the managerial hegemony presiding over the inherently commercialized nature of their work. They come full circle with the constraining challenges and feelings of learned moral helplessness and diminished responsibility presented above. A resignation to changed norms and the overriding credibility and authority of systems and organizations was rationalized as a position of relative disadvantage.

The legal profession is a meat trade. Just like getting Filipino maids it's just—you are just a commodity. The work is anonymised so that any new person will know how to use it. They just enter one field, two field, three field, four and the base document—the template is generated (Senior Consultant, Law Firm Sol Invictus).

However, the lawyers were not totally naïve and exploited, showing a cynical and discontented awareness of ideological constraints (Abbott & MacKinnon, 2019). Recognizing this managerial and commercial rationalization, one further defensive reaction was to state one's own decision to exploit the system for personal instrumental and career gain, despite or because of its relative lack of professional morality.

You go to firms because you want to be paid more. To put it very baldly, that's what you go there for. You don't expect any better transactions and you don't expect any better teaching (Senior Consultant, Law Firm Sol Invictus).

I've decided this career is what I want to do. It's not backed by any ideals or anything like that with regard to serving society... I definitely don't want to do pro bono work because it's of no benefit to me. Unless you tell me it forms part of my KPI (Senior Associate 1, Law Firm Aristaeus).

Ultimately, the only other ways to escape feelings of general moral constraint that lawyers reported were to move to a smaller law firm, take a sabbatical and try to contribute to civic society in other ways, or change practice to another type of law (e.g. civil litigation). To practise a more traditional, independent form of professional morality would therefore mean becoming an entirely different kind of lawyer altogether, and attempting a challenging move toward very different professional and institutional settings.

Discussion and conclusion

We can frame the discussion of our study by re-summarizing its three main contributions to three distinct but inter-related literatures. First, we contribute to sociological understandings of morality by investigating how corporate lawyers experience morality within a specific professional and institutional context (Shadnam, 2015). Second, we contribute to literature on professions by investigating how lawyers enact understandings of social and moral responsibility in relation to changing developments and relationships in their organizations that challenge and constrain their independence (Alvesson & Spicer, 2016; Anteby et al., 2016). Third and final, we contribute to literature on dirty work by investigating a profession with relatively high moral taint but also high status, inquiring into how corporate lawyers manage

their work identities around potential stigma and threats (Ashforth et al., 2007; Ashforth & Kreiner, 2014).

The specific themes identified from our findings, based on the qualitative analysis of a relatively large interview sample of corporate lawyers in Singapore, help to elaborate these contributions and highlight implications for research and practice. The lawyers' experiences illustrated three themes reflecting structural challenges constraining and conditioning expressions of morality in their work – shifting professional boundaries, job enlargement, and a lack of broader support. The lawyers' experiences also illustrated four further themes reflecting identity management tactics for addressing constrained morality and potential stigma – delegating responsibility, assuming managerial values, deemphasizing moral work content, and defensive reactivity.

Overall, the findings have implications for researching and supporting professional work where morality is likely to be highly constrained by strong feelings and perceptions of commercial obligations to organizations and clients. The changing nature of legal work due to globalization and other competitive forces generates increasing pressures to obey the dictates of a hierarchical and profit-driven partnership structure, and to endure the increased encroachment of commercialization into professional services. Corporate lawyers reported feeling moral obligations predominantly toward clients, partners and their firm as a whole – these constituted limits to how they saw the social and moral scope of their work activities.

Institutionally, legal practice has had a good deal of longstanding influence in terms of its state-backed legitimacy and globalized and specialized fields of practice (Dezalay & Madsen, 2012). However, plateauing demand for legal services now also heightens tensions and competing demands over the relative degrees to which lawyers should act more as analysts of law and judicial decisions versus as advisors and negotiators dealing with clients, counterparties and adversaries (Molot, 2018). Our findings suggest the latter often prevails over

the former in the practice of corporate law. In turn, this risks diluting and distorting a more integrated moral community that would otherwise exert a positive top-down influence on moral conduct in a professional field (Shadnam & Lawrence, 2011). These conditions also raise the likelihood of the perceptions and experiences of social and moral taint associated with dirty work. Lawyers risk becoming increasingly socially and morally servile to clients, superiors and profits, in ways that may feel pressurized, constraining and unpleasant.

A major issue facing future research and practice here lies in terms of how to go about reforming highly commercialized and globalized professional work in ways that restore and cultivate the moral autonomy and reflexivity we might wish to see more of in professionals for the good of society (Kahn, 2018). Research on professions suggests three main areas for reform – becoming, doing and relating (Anteby et al., 2016). For becoming, an implication of the current study is that professional socialization needs reforms to better address longer-term moral development and growth. For doing, an implication of the current study is that professionals need greater social and moral autonomy to experiment with the variety of boundaries and jurisdictions shaping their work tasks and priorities. Finally, for relating, an implication of the current study is that professionals should be encouraged to collaborate with a variety of other occupational and non-occupational groups to enrich their work, socially and morally. Ultimately, the corporate lawyers studied here displayed some ambivalence and discomfort with certain minimizations of their work (e.g. no longer gatekeepers of societal norms), and certain maximizations (e.g. delivering more and more commodified services to clients) suggesting the need for such reforms.

Furthermore, the professionals studied largely upheld the changing norms of their legal institutions in these more managerial and commercialized directions. The four strategies identified in our analysis would benefit from further elaboration in research and practice. A key implication is that anywhere professionals are downplaying the morality of their work,

delegating it, defensively rationalizing it, and/or justifying it strongly in terms of managerial and organizational success, wider institutional change may be needed to avoid long-term moral collapses and breakdowns (Bazerman & Tenbrunsel, 2011; Shadnam & Lawrence, 2011).

In order to avoid excessive dismissal or reductionism of morality in professional work, professionals need to have their ‘upward’ ideas and influences listened to as independent sources of information about morality (Shadnam & Lawrence, 2011). Indeed, one lesson from corporate scandals has been the need for senior managers to listen to and respect more the professional needs, duties and obligations of employees (Carson, 2003). One avenue for reform involves the ‘total integrated situations’ Herzog (2019) proposes for professional bankers; aligned regulations, incentives, and responsibilities that extend beyond duties to clients to explicitly address the prevention of systemic societal harms. Another avenue for institutional reform is to follow Pirson’s (2020) injunction to make a conscious and high-level break with ‘economistic’ narratives emphasizing competition and profit maximization, replacing and transcending them with more ‘humanistic’ narratives that privilege wider social engagements with dignity, learning and well-being. We would also suggest further efforts of research and practice to explore the barriers and difficulties to collectively achieving renewed moral enrichment of institutions and professions. Three barriers suggested by Herzog (2019) are epistemological barriers to understanding complex issues, motivational barriers to privileging some goals over others, and coordination barriers to sharing responsibility with agents with different interests and abilities.

Our findings are also consistent with the need to understand moral consciousness sociologically, as being like a ‘moral maze’ of political and bureaucratic rules and relationships (Jackall, 1988). Beyond the corporate managers of Jackall’s (1988) influential study, corporate lawyers as professionals also find themselves in a moral maze, complicit in ensuring managerial and hierarchical efficacies, suggesting organizations have not overcome these

issues but have spread them into professional work as well (Sargent, 2004). This study has shown that by forcing lawyers to be ‘business people’ and take on multiple responsibilities such as marketing, project management, and even (financial) product creation, lawyers shared many important elements of the same moral consciousness as the corporate managers that they worked for. While lawyers’ moral agency is limited, our findings show some of the ways they might be ‘led out of the maze’ (Sargent, 2004), by highlighting the structural constraints on their expressions of morality in their work, and their tactics for protecting their identities and explaining and justifying their professional predicament.

By their own admission, the corporate lawyers practised a very compartmentalized and constrained sort of morality. Some of the data suggested that future research might explore how the experience and exercise of morality is further contingent on the type of law practised, and the size of law firm the lawyer worked in. The lawyers studied here from larger firms asserted that only lawyers from smaller firms had the space and the wherewithal for moral evangelism, and tended to assume that corporate law had less moral content to begin with. Future research might develop the dirty work literature by considering how different professional subgroups differ in the sources and forms of social and moral ‘taint’ that adhere to their work contexts (Ashforth et al., 2007; Ashforth & Kreiner, 2014). Professional groups may experience changes in their status and the extent to which social and moral judgements and pressures shape their identities as they undertake different sorts of work (e.g. criminal defence lawyering), or for different organizations (e.g. smaller law firms with more altruistic missions and non-profit orientations) (Campos, 2015; Fasterling, 2009).

Finally, from an individual perspective, our findings raise further questions about the marginalization of aspects of morality at work and what individuals might do to restore some autonomy to the situation or change their situation altogether. In the current study, interviewees suggested employment and career conditions where pursuing greater moral autonomy would

have meant compromising on social status and hierarchical progression in larger organizations. Transcending their current moral frame would mean acting as a less significant member of their firm, becoming a part-time lawyer, and even moving to a smaller firm or leaving corporate law. The lawyers described any alternative, non-commercial morality as very limited to smaller legal firms and specialist roles outside of the context and sample under study. More altruistic possibilities around adjusting to client's needs or accepting pro bono work were limited or non-existent, pushed cynically outside of organizational and professional bounds, or nostalgically and defensively mourned as irretrievably and impossibly lost to contemporary practice.

However, it seems important to continue to investigate what scope remains for professionals to act and adapt differently in relation to prioritizations of their moral values, and why they may or may not feel free or motivated to choose to do so. Beyond working within the letter of the law and not transgressing its jurisdictions, some lawyers did mention some experimentation with other ways to satisfy their clients (e.g. reducing fees and using tact and diplomacy). Pro bono and other altruistic legal work, however, drew defensive reactions that were cynical and pessimistic. Developmentally, individual professionals may follow different trajectories in how they feel about the morality of their work and identity on the job, whether it has stalled and 'spoiled' (Campos, 2015), or can be improved through learning and application. In a study of public relations professionals, Place (2019) has shown how, with the proper dialogue, participation and support, professionals can experience further moral development as they face dilemmas, trials and grey areas at work.

In conclusion, this article and study of corporate lawyers has traced and explored connections between the sociology of morality, professional and institutional work contexts and the potential stigma and identity tensions associated with 'dirty' social and moral work. The lawyers' professional identities were morally constrained and challenged by changing conditions associated with commercial managerial imperatives, which they reacted to by using

various protective and defensive tactics, locating greater social and moral responsibility elsewhere. If institutions and professions are to achieve a more fully enriched and sustainable morality for their communities and stave off excessive marketization and dirty work stigma, they need greater coordination, incentives and understanding of these issues.

References

- Abbott, A. (1988). *The System of Professions. An essay on the division of expert labor*. The University of Chicago Press, Chicago.
- Abbott, K. & MacKinnon, B. H. (2019). A Žižekian ideological critique of managerialism. *European Management Journal*, 37(2), 133-138.
- Abend, G. (2010). What's new and what's old about the new sociology of morality. In *Handbook of the Sociology of Morality* (pp. 561-584). Springer, New York, NY.
- Abend, G. (2013). What the science of morality doesn't say about morality. *Philosophy of the Social Sciences*, 43(2), 157-200.
- Adler, P. S., & Kwon, S. W. (2013). The mutation of professionalism as a contested diffusion process: Clinical guidelines as carriers of institutional change in medicine. *Journal of Management Studies*, 50, 930–962.
- Alvesson, M. and Spicer, A. (2016). (Un)Conditional surrender? Why do professionals willingly comply with managerialism. *Journal of Organizational Change Management*, 29(1), 29-45.
- Anderson-Gough, F., Grey, C., & Robson, K. (2002). Accounting professionals and the accounting profession: linking conduct and context. *Accounting and Business Research*, 32(1), 41-56.

- Anteby, M. (2010). Markets, morals, and practices of trade: Jurisdictional disputes in the U.S. Commerce in cadavers. *Administrative Science Quarterly*, 55, 606–638.
- Anteby, M., Chan, C. K., & DiBenigno, J. (2016). Three lenses on occupations and professions in organizations: Becoming, doing, and relating. *The Academy of Management Annals*, 10(1), 183-244.
- Ashforth, B., & Kreiner, G. (1999). "How can you do it?": Dirty work and the challenge of constructing a positive identity. *Academy of Management Review*, 24(3), 413-434.
- Ashforth, B., Kreiner, G. E., Clark, M. A., & Fugate, M. (2007). Normalizing dirty work: Managerial tactics for countering occupational taint. *Academy of Management Journal*, 50(1), 149-174.
- Ashforth, B. E., & Kreiner, G. E. (2014). Dirty work and dirtier work: Differences in countering physical, social, and moral stigma. *Management and Organization Review*, 10(1), 81–108.
- Ashley, L., & Empson, L. (2013). Differentiation and discrimination: Understanding social class and social exclusion in leading law firms. *Human Relations*, 66(2), 219-244.
- Bazerman, M. H., & Tenbrunsel, A. E. (2011). Ethical breakdowns. *Harvard Business Review*, 89(4), 58-65.
- Bourdieu, P. (2000). Making the economic habitus. Algerian workers revisited. *Ethnography*, 1(1), 17-41.
- Brown, A.D. (2015). Identities and identity work in organizations. *International Journal of Management Review*, 17(1), 20–40.
- Campos, P. (2015). Lawyers and spoiled identity. *The Georgetown Journal of Legal Ethics*, 28(1), 73-122.
- Carson, T. L. (2003). Self-interest and business ethics: Some lessons of the recent corporate scandals. *Journal of Business Ethics*, 43(4), 389-394.

- Chen, Y., & Reay, T. (2020). Responding to imposed job redesign: the evolving dynamics of work and identity in restructuring professional identity. *Human Relations*. doi:10.1177/0018726720906437 (In Press).
- Chow, D.Y. & Tsui-Auch, L.S. (2019). Coping with Commodification: Hybrid strategies in Asian law firms. *Asia Pacific Journal of Management*. OnlineFirst.
- Chow, D. Y. L. (2016). Organizational responses to institutional change: A study of two local law firms in Singapore. Doctoral thesis, Nanyang Technological University, Singapore.
- Cohen, A. C., & Dromi, S. M. (2018). Advertising morality: Maintaining moral worth in a stigmatized profession. *Theory and Society*, 47(2), 175-206.
- Cloutier, C., & Langley, A. (2007). Competing rationalities in organizations: A theoretical and methodological overview. *Cahiers de recherche du G PS*, 1(3), 1-35.
- Cook, T. D., Campbell, D.T (1979). *Quasi-experimentation: Design and Analysis Issues for Field Settings*. Houghton Mifflin: Oxford.
- Dezalay, Y., & Madsen, M. R. (2012). The force of law and lawyers: Pierre Bourdieu and the reflexive sociology of law. *Annual Review of Law and Social Science*, 8, 433-452.
- Dick, P. (2005). Dirty work designations: How police officers account for their use of coercive force. *Human relations*, 58 (11), 1363-1390.
- Eisenhardt, K. M. (1989). Building theories from case study research. *Academy of Management Review*, 14, 532–550.
- Elkjaer, B., & Simpson, B. (2011). Pragmatism: A lived and living philosophy. What can it offer to contemporary organization theory? In *Philosophy and organization theory* (pp. 55-84). Bingley: Emerald Group Publishing Limited.
- Farjoun, M., Ansell, C., & Boin, A. (2015). Perspective—Pragmatism in organization studies: Meeting the challenges of a dynamic and complex world. *Organization Science*, 26(6), 1787-1804.

- Fasterling, B. (2009). The managerial law firm and the globalization of legal ethics. *Journal of Business Ethics*, 88(1), 21-34.
- Faulconbridge, J., & Muzio, D. (2008). Organizational professionalism in globalizing law firms. *Work, Employment and Society*, 22(1), 7-25.
- Fourcade, M. (2007). Theories of markets and theories of society. *American Behavioral Scientist*, 50, 1015–1034.
- Fourcade M, & Healy, K. (2007). Moral view of market society. *Annual Review of Sociology*, 33, 285–311.
- Fligstein, N. J., & Dauter, L. (2007). The sociology of markets. *Annual Review of Sociology*, 33, 105-128.
- Flood, J. (1996). Megalawyerism in the global order: the cultural, social, economic transformation of global legal practice. *International Journal of the Legal Professions*, 3, 169-214.
- Flynn, J.F. (1976). Professional ethics and the lawyer's duty to self. *Washington University Law Quarterly*, 3, 429-444.
- Gill, M. J. (2014). The possibilities of phenomenology for organizational research. *Organizational Research Methods*, 17, 118–137.
- Giorgi, A. (2006). Concerning variations in the application of the phenomenological method. *The Humanistic Psychologist*, 34(4), 305-319.
- Glaser, B. G., & Strauss, A. L. (1967). *The discovery of grounded theory: Strategies for qualitative research*. Chicago: Aldine.
- Greenwood, R., & Suddaby, R. (2006). Institutional entrepreneurship in mature fields: The big five accounting firms. *Academy of Management Journal*, 49, 27–48.
- Hazard, G. C., & Dondi, A. (2004). *Legal ethics: A comparative study*. Stanford: Stanford University Press.

- Herzog, L. (2019). Professional ethics in banking and the logic of “Integrated Situations”: Aligning responsibilities, recognition, and incentives. *Journal of Business Ethics*, 156(2), 531-543.
- Hodson, R., & Sullivan, T.A. (2012). *The social organization of work*. Cengage Learning.
- Jackall, R. (1988). Moral mazes: The world of corporate managers. *International Journal of Politics, Culture, and Society*, 1(4), 598- 614.
- Johns, G. (2017). Reflections on the 2016 decade award: incorporating context in organizational research. *Academy of Management Review*, 42(4), 577-595.
- Kahn, P. E. (2018). Renewing the professions by attending to structural influences on reflexivity: A critical realist perspective. *Journal of Professions and Organization*, 5(2), 139-154.
- Keillmann, A. (2006). The Einheitsjurist: A German phenomenon. *German Law Journal*, 3: 293-312.
- Kipnis, D. (1991). The technological perspective. *Psychological Science*, 2(2), 62-69.
- Kreiner, G.E., & Ashforth, B.E. (2004). Evidence toward an expanded model of organizational identification. *Journal of Organizational Behavior*, 25, 1-27.
- Kreiner, G., Hollensbe, E., & Sheep, M. (2006). Where is the "me" among the "we"? Identity work and the search for optimal balance. *Academy of Management Journal*, 49(5), 1031-1057.
- Kyratsis, Y., Atun, R., Phillips, N., Tracey, P., & George, G. (2017). Health systems in transition: Professional identity work in the context of shifting institutional logics. *Academy of Management Journal*, 60(2), 610-641.
- Lamont, M., & Molnár, V. (2002). The study of boundaries in the social sciences. *Annual Review of Sociology*, 28, 167–195.

- Lamont, M., Schmalzbauer, J., Waller, M., & Weber, D. (1996). Cultural and moral boundaries in the United States: Structural position, geographic location, and lifestyle explanations. *Poetics*, 24 (1): 31–56.
- Malloy, R. P. (2016). Law, market and marketization. *University of Bologna Law Review*, 1(2), 166-184.
- Mayntz, R. (1970). Role distance, role identification, and amoral role behavior. *European Journal of Sociology/Archives Européennes de Sociologie*, 11(2), 368-378.
- Mescher, B.R (2008). The business of commercial legal advice and the ethical implications for lawyers and their clients. *Journal of Business Ethics*, 81(4), 913-926.
- Miles, M. B., & Huberman, A.M. (1994). *Qualitative Data Analysis: An Expanded Sourcebook*, 2nd ed. Sage, Beverly Hills, CA.
- Molot, J. T. (2018). Purism and pragmatism in the legal profession. *Georgetown Journal of Legal Ethics*, 31, 1-30.
- Moore, G., & Grandy, G. (2017). Bringing morality back in: Institutional theory and MacIntyre. *Journal of Management Inquiry*, 26(2), 146-164.
- Muzio, D., Brock, D. M., & Suddaby, R. (2013). Professions and institutional change: Towards an institutionalist sociology of the professions. *Journal of Management Studies*, 50(5), 699-721.
- Petriglieri, J. (2011). Under Threat: Responses to and the consequences of threats to individuals' identities. *Academy of Management Review*, 36(4), 641-662.
- Pirson, M. (2020). A Humanistic Narrative for Responsible Management Learning: An Ontological Perspective. *Journal of Business Ethics*. OnlineFirst.
- Place, K. R. (2019). Moral dilemmas, trials, and gray areas: Exploring on-the-job moral development of public relations professionals. *Public Relations Review*, 45(1), 24-34.

- Pratt, M., Rockmann, K., & Kaufmann, J. (2006). Constructing professional identity: The role of work and identity learning cycles in the customization of identity among medical residents. *Academy of Management Journal*, 49(2), 235-262.
- Sargent, M. A. (2004). Lawyers in the moral maze. *Villanova Law Review*, 49(4), 867.
- Scott, W. R. (2008). Lords of the dance: Professionals as institutional agents. *Organization Studies*, 29(2), 219-238.
- Shadnam, M. (2015). Theorizing morality in context. *International Review of Sociology*, 25(3), 456-480.
- Shadnam, M., & Lawrence, T. B. (2011). Understanding widespread misconduct in organization. *Business Ethics Quarterly*, 21(3): 379-407.
- Siebert, S., Wilson, F., & Hamilton, J.R.A. (2017). “Devils may sit here:” The role of enchantment in institutional maintenance. *Academy of Management Journal*, 60, 1607–1632.
- Silver, C. (2007). Local matters: Internationalizing strategies for U.S. law firms. *Indiana Journal of Global Studies*, 14(5), 67–93.
- Smets, M., Morris, T., & Greenwood, R. (2012). From practice to field: A multilevel model of practice-driven institutional change. *Academy of Management Journal*, 55(4), 877-904.
- Strauss, A., & Corbin, J. (1998). *Basics of qualitative research: Techniques and procedures for developing grounded theory (2nd ed.)*. Thousand Oaks, CA: Sage.
- Suchman, M. C. (1995). Managing legitimacy: Strategic and institutional approaches. *Academy of Management Review*, 20(3): 571-610.
- Suddaby, R. (2010). Challenges for institutional theory. *Journal of Management Inquiry*, 19(1), 14-20.
- The Economist. 2011. *Law firms: a less gilded future*. 5 May 2011.

- Thornton, P., Jones, C., & Kury, K. (2005). Institutional Change in Organizations: Transformation in Accounting, Architecture, and Publishing. *Research in the Sociology of Organizations*, 23, 125–170.
- Wilson, D. S. (2015). *Does altruism exist? Culture, genes, and the welfare of others*. Yale: Yale University Press.
- Winter, R. (2011). The principled legal firm: Insights into the professional ideals and ethical values of partners and lawyers. *Journal of Business Ethics*, 98(2), 297-306.
- Wozniak, J. F. (2009). C. Wright Mills and higher immorality: implications for corporate crime, ethics, and peacemaking criminology. *Crime, Law and Social Change*, 51(1), 189-203.