

## The Ethical Identity of Law Students

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### ABSTRACT

This paper use measures of values, moral outlook and professional identity to explore the ethical and professional identity of law students. We do so in two jurisdictions, surveying 441 students studying in England and Wales and 569 students studying in the US. The survey covers the first and final years of an undergraduate law degree and the postgraduate vocational stage in England and Wales and at first and third years of the JD programme in the US. We explore whether law students towards the end of their legal education have ethical identities predictive of less ethical conduct when compared with those at the beginning of their legal education; whether law students intending careers in business law have values and profiles consistent with lesser ethical conduct than students intending to work for government or individuals; and, the factors associated with differences in ethical outlook. We find ethical identity strongly associated with gender and career intentions. Scholarly anxiety about the influence of business on professional identity is supported by the weakening of moral identities seen in students intending to practice business law. In spite of prominent claims that legal education diminishes student ethicality, we find a much more nuanced position.

### INTRODUCTION

Ethical decision making is a central element of legal practice. The growth of behavioral economics and moral psychology has prompted a burgeoning interest in behavioral legal ethics (Wooley and Wendell 2010, Perlman 2015). One strand of research suggests we each have an individual ethical identity, part nature part nurture, which influences whether and how we see ethical problems and how we respond to them (Haidt 2013, and contrast Alfano 2014). This paper examines facets of the ethical identity of law students and the influence of some external factors on this identity.

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This is the first, quantitative study to look at the ethical identity of law students across the multiple dimensions of values, moral outlook and professional identity and to do so across more than one jurisdiction. Such research is, we think, relevant to a number of debates about legal education and professionalisation. Here we concentrate on four areas of particular interest.

- A strong concern in the legal education literature is that law school degrades ethicality. We examine whether law students have ethical identities predictive of less ethical conduct towards the end of their legal education when compared with those at the beginning of their legal education.
- A second issue concerns professional socialization. We examine whether law students who intend to practice law have ethical identities predictive of less ethical conduct than those who do not intend to practice law.
- A more specific element of socialization is the interpenetration of business and law. Here we examine whether law students intending careers in business law have values and profiles consistent with less ethical conduct than students intending to work as lawyers for other kinds of client.
- And finally, we have data relevant to gender, exposure to pro bono work or clinical courses, and taking ethics courses. We examine whether these are these associated with difference in ethical outlook.

In Section I we contextualise the study in the broader literature. In Section II we outline our methods and analytical strategy. In Section III, we analyse the results, and in Section IV we discuss these results, draw conclusions and discuss limitations of the study.

## I. CONTEXT

It is a common theme of legal scholarship that lawyers have lost their moral compass (Kronman, 1995). Globalization and financialisation of law firms may strengthen commercial values over professional ones (Flood, 1993). Whilst the most profound influences on ethical practice may be found in practice itself (see, for example, Mather and Levin, 2012), the focus of this piece is on legal education. Legal education is supposed to lay the foundations for an ethical profession, positively socializing students into “thinking like a lawyer” yet critiques of law school are common (e.g. Edwards 1992, Feldman 1995, Nicolson 2005, Kronman 2003). Legal education has been implicated as a cause of diminished ethicality (e.g. Schleaf 1997, Thornton 1998, Arthurs 2000). It is said to guide students away from moral reasoning in favor of a “legal hubris” through which law students create a new identity unmoored from their older identity; a new identity that pushes morality to the margins of their discourse (Mertz 2007). Law school curricula and pedagogical approaches are said to push professional values to “part of the hidden curriculum, which tends to be strongly individualistic, pragmatic and even cynical in outlook” (Webb 2011: 9).

Empirical attempts to quantify the influence of legal education on ethical identity and professionalism are rare. Sheldon and Krieger (2004) found that during law school US students lost autonomy and shifted from intrinsic to extrinsic values during their studies, a pattern consistent with diminished ethicality. Thus they shifted from being motivated by interest in the subject to being motivated to succeed. This shift was

bound up with career choices and performance: intrinsically motivated students performed better in their courses, were attracted to better-paid jobs, and so became more extrinsically motivated. In short, virtue led to success and success diminished virtue. Hedegard (1997) detected decreased altruism in first-year US law students. Another study, using moral reasoning scales, concluded that US lawyers' moral reasoning may be stunted (Landwehr, 1996). A recent virtues-based study in England and Wales suggested law students lack formal ethical education (Arthur et al, 2014). In contrast, some studies have found that law school has little effect on ethical reasoning (Palermo and Evans 2005), and others are inconclusive on the impact of law school (Cahill et al 1996, Diacoff 1996). Furthermore, not all concerns focus on law schools; some contend that commercial law firm domination of the recruitment market encourages hedonistic, status-oriented and money-driven values (Collier 2005).

Contrary to this pessimism, Chambliss suggests academic accounts are "biased toward critical accounts of 'ethical fading,'" and often "based on unspecified and/or internally inconsistent benchmarks" (Chambliss, 2012:48). She hypothesizes that lawyers may be subject to "both ethical fading and ethical learning at different stages of their careers, in different practice contexts, and with respect to different issues in their work" (Chambliss, *ibid*). Hamilton and Monson are also more positive. They point to both psychological models and qualitative work that predicts ethical learning across a person's career, suggesting that "an ethical professional identity can be developed across the life span" (Hamilton and Monson, 2011).

In general, accounts of diminished ethicality amongst law students rely on two types of explanation. One is that the choices of students influence the make-up of practicing lawyers: less ethical types are attracted to the profession. Daicoff (1996) suggests a host of psychological pathologies more prevalent amongst law students and lawyers than others. *If* "bad" people choose law or are selected by law schools or law firms, then lawyers as a group become more inclined to be "bad." Under this explanation, educational and career choices may reflect value preferences rather than shape them (Sagiv et al, 2004). A second explanation is that, during periods of profound personal change, socialization can affect characteristics that under normal circumstances are considered immutable. One such change can be the adoption of a professional identity during a period of intense education (Bardi and Goodwin 2011). While there is reason to expect that socialization will only rarely and slowly affect identity change (Erlanger and Klegon 1978), there is also reason to think that legal education is one of the rare occasions when this effect might be realized (cf. Bardi et al, 2014).

Two key areas where legal educators have sought to improve ethicality are clinical or pro bono programs and legal ethics education. There are very few studies of the impact of ethics education on the ethicality of law students (Hamilton and Monson, 2012). What there is tends to focus on moral judgment. Hartwell (1995) tested the impact of ethical courses based on the "consensus opinion" technique and found statistically significant gains in moral judgment but otherwise generally found ethics classes had no impact. Evans and Palermo (2009) found some association between more ethical conduct and an exposure to ethics courses in Australia. Conversely, Willging and Dunn (1981) tested the impact of a course on professionalism and found no significant change in moral reasoning. Landsman and McNeel (2003) suggested

there was no change in moral reasoning over students' time in law school, but did not look specifically at the impact of ethics courses (2003).

Similarly, although clinical courses and pro bono programs are sometimes seen as a partial antidote to diminished ethicality during law school, there is very little data on the impact of such programs. Sandefur and Selbin (2009) found no evidence linking clinical training to future pro bono service or civic participation, but did find a strong relationship with future career choice. It encouraged more altruistic job choices. Nicolson claims a link between pro bono experience and a greater interest in access to justice work through a small qualitative study of his own students (Nicolson, 2010 and 2015). Schmedemann (2008) concerns herself with the values that students who do pro bono have and the institutional encouragement that can be given to them. Evans and Palermo (2009) found some significant impact on ethical decision making in law students over time associated with experience of clinical courses. Granfield (2006) examined the impact of mandatory pro bono during law school on the amount of pro bono done post law school and found no significant differences, although there was some evidence of pro bono increasing empathy in law students, e.g. through lawyers being exposed to more marginal groups (see also Rhode, 2005).

Work on the ethical identity of law students has generally focused on a single jurisdiction and has concentrated on one or two dimensions of either ethical identity (usually values) or moral reasoning. As a result, what 'ethical' means is defined by one or two indicators only. It is possible to supplement and go beyond these approaches. For example, Bebeau (2002) suggests we should look to ethical sensitivity, ethical implementation, moral motivation and identity formation. We concentrate in this paper on issues of personality, identity and moral outlook as all are relevant to sensitivity, motivation and identity formation. Ethical implementation, the ability to act on ethical decisions, is harder to measure, but several of our indicators are also associated with the ethicality of actual behavior (see below). As a result, our study goes significantly beyond existing work to provide a more fully rounded picture of ethical identity. Our study also covers two jurisdictions: England and Wales (undergraduate and professional postgraduate students) and US postgraduates. We thus have a stronger basis for examining motivational and identity based elements of law student ethical identity.

It should be noted however that, in spite of the breadth of our suite of indicators, we are not purporting to definitively measure the ethicality of law students. Indeed, there is little consensus about the fundamental components of moral disposition (Cohen et al 2014, Cohen and Morse 2014). These indicators afford an opportunity to explore potential ethicality across a range of dimensions but they do not provide an exhaustive picture nor do they examine the power of situational influences on ethicality (Alfano 2014).

Similarly, our indicators concentrate on broad notions of ethical identity. In general, such indicators measure propensity to engage in more or less pro-social behavior at a general rather than professional specific level (in particular, our predictors of unethical conduct are often shown to increase an inclination to lie or cheat). We have begun to show elsewhere how some such indicators are also associated with ethically questionable professional decision-making by lawyers (Moorhead and Cahill-O'Callaghan, 2016 looking at values). We are particularly interested in moral traits

that have been linked to how people behave. We focus on three important predictors: moral identity, moral attentiveness, and moral disengagement. Moral identity refers to the extent to which people define their self-conception by moral traits. People with a stronger moral identity are more likely to engage in ethical behaviors, such as volunteering (Aquino and Reed 2002). Moral attentiveness is the extent to which individuals regularly consider morality and moral elements in their experiences. Greater moral attentiveness has been associated with greater moral awareness and behavior (Reynolds, 2008). In contrast, moral disengagement refers to rationalizations that people make to justify immoral behavior, those with higher moral disengagement have a demonstrated tendency towards immoral behavior (Detert *et al* 2008).

We are also interested here in professional identity. Conventional wisdom equates professions with virtue and law school with a process of professional identity formation. Sociologists have long suggested that codes of conduct and service to the public are essential characteristics of professions and that professions are a form of moral community (Parsons 1951, Durkheim 1957, Goode 1957). There is a voluminous literature on whether professions live up to their claims (see, for example, Moorhead, 2015). Our interest here is in psychological referents of professionalism and occupational identification: are law students identifying as professionals, as lawyers and what is the nature of that identification? This is interesting for a host of reasons including recent work linking occupational identities to ethicality of conduct (Cohen *et al* 2014).

Generally, the literature suggests that stronger professional identity should lead to behaviors supportive of a profession's norms. This view tends to assume that a profession's norms are pro-social. However, recent work on moral licensing suggests a potentially contrary idea: that association with moral groups and institutions can help people to establish moral credentials that increase their likelihood of biased and immoral behaviors (Kouchaki 2011, Castilla and Benard 2010). Under Kouchaki's work, for instance, thinking of oneself as a professional gives that person a 'moral licence' to behave less ethically. Because the relationships between occupational and professional identification and ethicality are more difficult to predict; we do not use them as proxies for ethical improvement or degradation but we do explore our students' professional identification and its association with ethical decisions.

A final theme of importance is gender. Gilligan famously, but controversially, suggested that women have different moral voices to men (Gilligan 1982). Gender difference can be nuanced and subject to social moderators (Minow, 1990, Romany, 1991). Outside of the law, there is a greater body of quantitative work on the interaction of gender, ethical identity and ethical decision making (Beutel and Manini 1995, Glover, 2002, Roxas, 2004). Overall, studies tend either to suggest women are more disposed towards ethicality or else find no difference between men and women (Moorhead, 2012). Our research builds on these studies by examining the relationship between gender and other facets of personality associated with ethical decision making in law students.

## II. METHODS

The issues we are exploring in this paper are whether:

1. Law students towards the end of their legal education will have values and moral outlooks predictive of less ethical conduct than those at the beginning of their legal education.
2. Law students who intend to practice law may have profiles predictive of less ethical conduct than those who do not intend to practice law.
3. Law students intending to pursue careers in business law will have values and profiles consistent with less ethical conduct than students intending to work for government or individuals.
4. Factors other than progression through legal education (such as gender, exposure to pro bono work or clinical courses, and taking ethics courses) will be associated with difference in ethical outlook.

Students were invited to participate in the study online via an email or an invitation on an online teaching message board sent to them by their course coordinators. We sought a range of law schools in terms of geographical and league ranking. Five law schools were recruited in England and Wales, three Russell Group, one post-1992 university and one institution specializing in professional education. Five law schools were recruited in the US, including one Ivy League school and two state universities. Student based in the US were offered a \$10 Amazon voucher for completing the survey while students based in the E&W were offered a £10 Amazon voucher.

1,010 students were included in the analysis, 441 based in England and Wales and 569 in the US. We estimate the response rate was 18 per cent for the England and Wales and 19 per cent for the US, an average response rate for a survey of this length (Sheehan, 2001). Although we have a large sample of responses, levels of response are not sufficient to claim representativeness of all students. As our main interest is in comparisons within the sample (e.g. whether law students later in their education have different profiles from students earlier in their education, whether law students intent on practicing law have different profiles than those who do not intend to practice law) this sample size is sufficient for statistical analysis.

The survey questions covered five different areas:

1. Demographics: This section covered a range of questions about respondents including age, gender, career intentions (including whether they were considering entering practice, what kind of lawyer they would like to be and the area of practice aspired to), pro-bono and legal work experience.
2. Values: This is our first indicator of ethical identity. Values are human goals described in a way that is trans-situational (i.e. applies across all social contexts and is not specific to (say) 'work' or 'family life'). They act: "as standards or criteria to guide not only action but also judgment, choice, attitude, evaluation, argument, exhortation, rationalisation and...attribution of causality." (Rokeach, 1973). Values were assessed using the Schwartz 40-Item Portrait Questionnaire (PVQ). Schwartz's instrument assesses how important each of ten values is to the respondents: power; achievement;

hedonism; stimulation; self-direction; universalism; benevolence; tradition; conformity; and, security. Respondents read 40 statements and are asked how much the person described in the statement sounds like them on a scale of 1-very much like me, to 6- not at like me. E.g. *“He thinks it is important to be rich. He wants to have a lot of money and expensive things”* and *“It is very important to him to help the people around him. He wants to care for their well-being.”* Analysis of the responses facilitates quantification and relative ranking of values, with high value scores indicating values being particularly important to an individual, and negative scores indicating which values are less important.

3. Moral outlook was assessed using four different instruments.<sup>1</sup>
  - a. *Moral identity*: Aquino and Reed’s 10 Item Moral identity Scale is designed to assess motivation towards moral conduct (Aquino and Reed 2002). The scale requires respondents to consider a set of moral traits (being caring, compassionate and fair) and then to rate how they felt in relation to a number of statements: e.g. *“It would make me feel good to be a person who has these characteristics.”* Higher scores are thought to predict better moral cognition (recognising moral problems) and behaviour (acting ethically on those problems).<sup>1</sup>
  - b. *Moral attentiveness*: Reynolds 5-Item Moral Attentiveness Scale assesses the extent to which an individual recognizes moral aspects in everyday experiences, and regularly thinks about moral matters (Moore et al 2012). Individuals rate a range of statements to explore how often ethical issues come into play in their daily lives. E.g. *“In a typical day, I face several ethical dilemmas”* or *“I often reflect on the moral aspects of my decisions”*. Higher scores are consistent with greater moral attentiveness and moral behaviour.
  - c. *Moral Disengagement*: Moral disengagement is the extent to which people are inclined to morally disengage, i.e. to behave unethically without feeling distress. It was assessed using Moore et al’s 8-Item Moral Disengagement Scale (Moore et al 2012). Individuals rate agreement with a number of statements designed to assess their propensity towards engaging in what might be broadly perceived as ‘immoral’ or ‘unethical’ behaviour. E.g. *“It is okay to spread rumours to defend those you care about”* and *“Taking something without the owner’s permission is okay as long as you’re just borrowing it”*. Here, higher scores are indicative of a greater propensity towards unethical behaviour.
  - d. *Entitlement*: A sense of entitlement is “a stable and pervasive sense that one deserves more and is entitled to more than others” (Campbell et al 2004). We assessed it using Campbell’s Psychological Entitlement Scale adapted in a manner similar to that of Zitek et al (2010). Individuals were asked to rate statements including *“I honestly feel I’m just more deserving than others”* and *“people like me*

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<sup>1</sup> Ibid.

*deserve an extra break now and then.* Higher scores are consistent with a stronger level of entitlement. In broad terms, a high level of entitlement is associated with more egocentric, selfish behaviour.<sup>2</sup> Individuals are essentially asked to rate the extent to which they agree with statements of entitlement.

4. Professionalism:<sup>2</sup> To better understand the effects of different facets of a professional and occupational identity, we examine three constructs.

a) **Legal professional identification** reflects a perception of oneness with the group of “lawyer” or “attorney”, a perception that allows individual group members to perceive themselves as psychologically intertwined with the fate of the group. *Legal Professional Identification* was assessed using the Mael and Ashforth’s Professional Identification Scale as adapted by Hekman *et al* (Mael and Ashforth 1992, Hekman *et al* 2009). In contrast to professional role identity, legal professional identification describes the extent to which individuals identify with their specific future profession (lawyer). Individuals rate a series of statements including “*In general, when someone praises lawyers, it feels like a personal compliment,*” and, “*In general, when someone criticizes lawyers, it feels like a personal insult.*” Higher scores reflect stronger levels of identification with the legal profession.

b) A distinct but related concept is **occupational commitment**. This captures the reasons why a person is committed to an occupational group and has three elements:

- **affective commitment** - an emotional commitment to the occupation;
- **continuance commitment** - a belief that leaving the profession will be costly; and,
- **normative commitment** - feeling an obligation to remain in the occupation.

Occupational commitment has been linked to behavior congruent with salient aspects of that identity and internalization of, and adherence to group values (Ashford 1989). Lower normative and continuance commitment have been linked to intention to leave one’s profession, while affective commitment has been linked to performance and behaviors that advance one’s profession as a reflection of the individual’s enthusiasm for the occupation (Meyer 1993).

We measured Occupational Commitment using an adapted version of Meyer *et al*’s Occupational Commitment Scale (Meyer *et al*, 1993). Respondents were required to rate the statements including “I am proud to be associated with the legal profession”, “I am enthusiastic

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<sup>2</sup> Ibid.



about law”. Higher scores are consistent with stronger occupational commitment.

- c) We also measure **professional role identity** as the overall importance that a person places on being a ‘professional’ as part of his or her self-definition—in other words, whether being a professional represents a central part of who they are. Here we are measuring general identification as a ‘professional’ rather than as a lawyer, in contrast to legal professional identification. *Callero’s Professional Role Identity scale* was used to assess an individual’s sense of self or identity as a professional (Callero 1985). The scale uses three statements which the respondents were asked to express their agreement/disagreement e.g. “*To be a professional person is an important part of my identity*”. Higher scores are consistent with a stronger professional role identity.

We tested the reliability of our indicators. All scales demonstrated good reliability.

*Ethical scenario vignettes*: The survey instrument finished with a series of ethical decision making scenarios presented in vignettes which were designed to elicit a response which examines ethical decision making. This approach is commonly used to explore ethical decision making (Evans and Palermo 2002, Galoob and Li 2013). This paper draws on one vignette: the one most germane to predicting clear unethicity, which is what we are most interested in here.

### *THE ANALYTICAL STRATEGY*

Our analysis treats out ethical identity indicators (values, moral outlook and professional commitment/identification) as dependent variables. We consider the relationship between them and our independent variables (gender, stage of education, intention to practice, various elements of career choice, whether a student has engaged in a pro bono program and whether they have had ethical training). We are thus examining whether, for example, students later in their legal education have different values, than student earlier in their education – controlling for the impact of other independent variables, like gender. Although examining variation in the dependent variables, we are not attributing causal status to the independent variables. Rather, we are conducting an exploratory analysis aiming to capture a breadth of potential influences on ethical identity which will inform the research questions we have set out above.

For the analysis we used a number of multivariate response models isolating statistically significant effects associated with each independent variable. So, for example, if a person’s values are related to both their gender and their career intentions, the multivariate analysis estimates the association of gender and career intentions independently of each other. As a result, we have an estimate of how much gender is associated with values independently of career intentions (and the other independent variables). We similarly have an estimate of how much career intentions

is associated with values independently of gender (and the other independent variables).

The results are reported in the Appendix where each model has two versions: one with an England and Wales reference category (version 1) and another with a US reference category (version 2). Having two reference categories enables us to look at differences in England and Wales and US perspectives respectively.

- Model A examines variance in values (Table 6 and Table 7)
- Model B examines variance in moral outlook and professional outlook (Table 8 and Table 9)
- Model C examines variance values for those intending to practice law (Table 10 and Table 11).
- Model D examines variance in moral outlook and professional outlook (Table 12 and Table 13).

From these models we can see whether gender, stage of education, intention to practice, various elements of career choice, whether a student has engaged in a pro bono program and whether they have had ethical training have any independent relationship with students' values, moral outlook or professional identity; whether the results differ for those who do or do not intend to practice law; and how the differences compare in the US and England and Wales.

Models E and F present analysis of whether values, professional and moral outlook appears to have relationship with decisions on an ethical dilemma the students responded to. This was a problem about deliberate overbilling and provides the clearest indication of propensity to behave unethically in our vignettes. Here ordinal regression models are used (Table 12 to Table 15). In both models we examine the independent relationships between propensity to overbill and pro bono experience, gender, ethics training, year level, intention to practice law, values, the moral and professional outlook measures and (in Model F) the type of law they wish to practice. Model E includes all respondents. Model F looks only at those who wished to practice law (where we can look at the type of practice they intend to follow).

The final two models, G and H are similar to Models A to D but allow us to explore the impact of country without reference to year level. This provides a simpler, more general, test of the differences associated with jurisdiction. Thus, Model G replicates Model A but replaces the year level variable with a country variable (E&W/US), in the same manner, Model H replicates Model C. The results can be seen in Table 16 and Table 17).

## II. RESULTS

### ***DO LAW STUDENTS VALUES, MORAL OUTLOOK AND PROFESSIONALISM DIFFER AT DIFFERENT STAGES OF EDUCATION?***

In the light of the diminished ethicality thesis, we examine the extent to which law students differed in their values, professional and moral outlook at different stages of

legal education (Figure 1). A person's values can also be simplified to four dimensions (Schwartz, 2012):<sup>3</sup>

- a. Self-transcendence – valuing the welfare and interests of others (valuing something intrinsically).
- b. Self-enhancement – valuing one's own interests and relative success and dominance over others (valuing something extrinsically).
- c. Conservation – valuing order, self-restriction, preservation of the past, and resistance to change.
- d. Openness to change – readiness for change and valuing independence of thought, action and feeling

For ease of comparison our values data here is presented across these four dimensions. A higher valuing of *openness to change* is associated with a greater appetite for change and risk. Greater *self-enhancement* centers on the individuals preference for economic position or social status. Both openness and especially self-enhancement are extrinsic values. That is, they signal valuing things for what they give to the individual rather than as things good in and of themselves. Extrinsic values are most associated with unethical behavior (Mumford 2003). *Self-transcendence* encompasses universal values and benevolence to others. Such values look beyond the self and are seen as intrinsically worthwhile. They are most associated with pro-social behavior (Karp 1996). *Conservation* values (safety and security) are a set of values associated with caution and associated with less unethical conduct as a result (Whitfield, 2009).

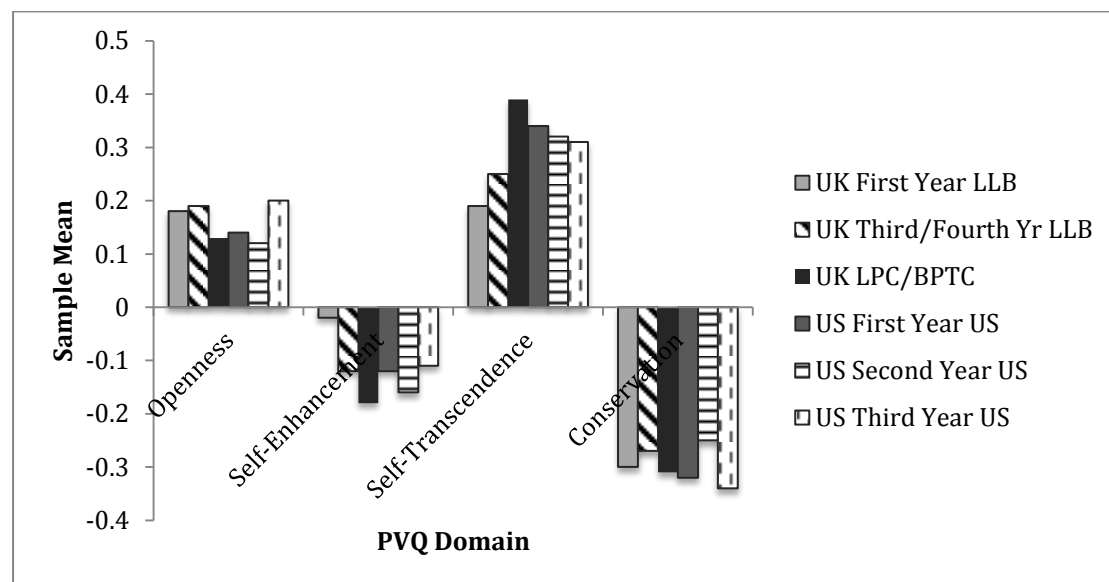


Figure 1. Mean PVQ Scores on the basis of stage of degree

<sup>3</sup> Schwartz, S. H. (2012). "An Overview of the Schwartz Theory of Basic Values. Online Readings in Psychology and Culture," 2(1). <http://dx.doi.org/10.9707/2307-0919.1116> . A ten-dimension analysis is also possible.

The value profiles of students suggests that all law students whether educated in the UK or the US rate value self-transcendence and openness to change above self-enhancement and conservation. In terms of differences across the years, there are not many obvious trends: in particular, US and E&W students look broadly similar.

To look more closely at potential differences, we used multivariate response models. These examined the relationship between values and stage of education (Model A in the appendix) and the relationship between moral and professional outlooks and stage of education (Model B in the appendix). Each of these models controlled for a range of other factors that might influence ethical identity such as gender, pro bono experience and the like, enabling us to isolate the association between course stage and ethical identity.

The results from our models are summarized in Table 1. We compare the profiles of first year undergraduates studying in the E&W, with third/fourth year E&W students, LPC/BPTC students. In the US, the profiles of first year US law students are compared with second and third/fourth year students in the US.<sup>3</sup> A – sign indicates that the more advanced students scored lower on an indicator than the first year students and a + sign indicates they scored higher on an indicator than first year students.

**Table 1: Models Summary – Law students’ professional, ethical and moral indicators by year**

		E&W STUDENTS		US STUDENTS	
Reference Group		First Year Students		First Year Students	
		Third/Fourth Year	LPC/BPTC	Second Year	Third Year
<b>VALUES</b>	Openness	-	-	-	-
	Self-Enhancement	-	-	-	+
	Self-Transcendence	+	+**	-	-
	Conservation	+	-	+	-
<b>MORALS</b>	Moral identity	+	-	-	-***
	Moral Attentiveness	+	+	-	-***
	Moral Disengagement	-	-***	+	+
	Entitlement	-	-*	-	+
<b>PRO ID</b>	Professional Role Identity	-	-	-	-**
	Legal Professional Identification	+	+	-	-*
	Occupational Commitment				
	Continuance	+	+	+	+
Affective	+	+	+***	+***	

\* indicate a statistically significant effect at \*0.05, \*\*0.01 and \*\*\*<0.001

Looking first at E&W students, the values of undergraduates did not differ significantly from year one to year three when the analysis controlled for the influence of the other independent variables. However, there was a significant difference between the postgraduate students who had commenced vocational training (LPC/BPTC). They were more likely to value self-transcendence<sup>4</sup> highly than both first years<sup>5</sup> and 3<sup>rd</sup>/4<sup>th</sup> years.<sup>6</sup>

In the US, there were no statistically significant differences in the values of US students when compared across the three years of law school.

If we turn to moral outlook, LPC/BPTC students were significantly more morally attentive, less morally disengaged, and had less of a sense of entitlement at statistically significant levels when compared to first year students.<sup>7</sup> There was no consistent or significant pattern in relation to the professional identity indicators.

In contrast to E&W students, for the US students, moral identity and moral attentiveness were lower amongst the US students in the third year when compared with their first year peers.<sup>8</sup> This suggests interestingly opposed profiles of the students at different educational stages in E&W in comparison to the US population. Significant differences in entitlement were not found.

In the US, levels of professional role identity (thinking of oneself in general terms as a professional) was lower in students in the later stages of their education – being

significant when third year US students are compared with first years.<sup>9</sup> Legal professional identification was also lower later in legal education, with significant differences between first year JD and third year JD students.<sup>10</sup> However, affective commitment to the profession significantly *increased* in later years of US legal education (where both second years and third years had higher levels of affective commitment to the legal profession than US first years).<sup>11</sup> In contrast to the UK, where we saw no significant pattern, there is a possibility that in the US, student *identification* as a professional or a lawyer is gradually replaced by an *affective commitment* to being a lawyer.

If law students are being socialized into being professional lawyers during law school we would predict both stronger legal professional identification and greater commitment. The evidence from the surveys suggests a more nuanced phenomenon. The content of a legal education, and interactions with the jobs market, might influence levels of identification and commitment differently. Legal professional identification reflects a perception of being psychologically intertwined with the fate of the group, which has been linked to initialization of, and adherence to, group values. Affective commitment captures a positive emotional attachment to the profession by creating a felt obligation to care about the profession, advance the profession and meet the profession's objectives.

The claims that law school diminishes the ethicality of law students suggest higher moral disengagement, lower moral attentiveness and moral identity. As such, given the tensions between the profession's claim of virtue (value of service to public and code of conduct) and the risk of diminished ethicality (acceptance of morally questionable behavior), stronger affective commitment (meeting the profession's objectives), but lower identification (initialization of and adherence to group values) might be expected. Although there is little evidence to support this aspect of diminishing ethicality in E&W, lower moral identity and attentiveness, and lower professional identification but higher affective commitment, amongst US third years is consistent with the diminished ethicality thesis. For this to be the case, we would expect a positive relationship between *affective* commitment and unethicity, and negative relationship between legal professional identification and unethicity (because legal professional identification requires an initialization of, and adherence to, the profession's values in some meaningful way). We look at this later when discussing our ethical vignette.

### ***CAREER INTENTIONS***

In our sample, 58 % (n=73) of those in their first year of an LLB E&W wanted to practice law, 57% (n = 78) in their third/fourth year of an E&W LLB intended to practice, which increased to 95% (n = 170) of those undertaking their vocational education LPC/BPTC. Of the US students, there was a decrease associated with year of education: 89% (n=178) in their first year intended to practice, followed by 83% (n=139) in their second year and 82% (n=167) in their third year. Table 2 compares the values, professional identification and moral outlook indicators of those who intend to be lawyers with those who do not intend to be lawyers. The data combines

both students in E &W and the US. The first column of results focuses on the differences between those intending to practice and those not intending to practice.

Interestingly we see a number of significant effects in values and professional identification but only one significant difference in moral outlook between the two groups. Those intending to practice:

- Valued openness to change and self-transcendence significantly less, and conservation significantly more than law students who did not intend to practice law.<sup>12</sup>
- They had stronger moral identity, occupational commitment (continuance), professional role identity and legal professional identity scores but - curiously - lower affective commitment scores. The latter may signal a shift from an emotional to more realistic connection with the profession.<sup>13</sup>
- Intending practitioners did not have significantly different moral disengagement, moral attentiveness or entitlement scores.

It follows that, intention to practice law is associated with a set of values and professional outlooks which shows some signs of a weakening commitment to ethicality (their lower valuing of self-transcendence) but also some positives, such as stronger moral identity and valuing conservation more. They also displayed predictably stronger levels of identification with and continuance commitment to the legal profession, but lower affective commitment. Such a set of identity indicators is consistent with a process of professional identity formation and may be more consistent with the role-based morality of a legal professional.

The second and third columns of Table 2 examine differences within the group of students who intend to be practitioners by more specific career intention (Models C and D in the appendices). This compares those who intended to work in government/for private clients with those who intended to pursue a career working with/for businesses/companies (either in private practice or in-house) and those who intended to practice in other areas or who were unsure of the area in which they wanted to practice.

**Table 2: Models Summary – Law students’ professional, ethical and moral indicators: do they intend to be a lawyer? If so, what type of lawyers?**

			TYPE OF LAW	
		Intends to be Lawyer	Company/Business	Other/Unsure
Reference Category		Does Not	Government/Individual	
<b>VALUES</b>	Openness	-*	+	+
	Self-Enhancement	+	+***	+
	Self-Transcendence	-**	-***	+
	Conservation	+*	-	-*
<b>MORAL OUTLOOK</b>	Moral identity	+**	-	+
	Moral Attentiveness	+	-***	+
	Moral Disengagement	-	+	+
	Entitlement	+	+	+
<b>PROFESSIONAL IDENTIFICATION</b>	Professional Role Identity	+***	+	-
	Legal Professional Identification	+***	-	-
	Occupational Commitment			
	Continuance	+***	+	+
	Affective	-***	+	+

\* indicate a statistically significant effect at \*0.05, \*\*0.01 and \*\*\*<0.001

Those inclined towards business-focused practice valued self-enhancement more highly and self-transcendence less than those intending to work for government or individuals.<sup>14</sup> Those who were unsure, or who had other intentions for their career, valued conservation less than those heading for a career in government or working for private clients.<sup>15</sup> Intending business lawyers had (or had developed) a values profile consistent with weaker ethical propensity. Similarly, those intending to work with/for business/companies had a lower level of moral attentiveness than those intending to work for Government or individuals.<sup>16</sup>

Our findings thus suggest that those pursuing a career working for businesses/companies had ethical identities which indicated some weaknesses of ethical identity in comparison to those intent on pursuing careers working for government/private clients.



***PRO BONO, ETHICS TRAINING AND GENDER EFFECTS***

We turn now to phenomena other than progression through law school and career intentions that might be associated with differences in values, ethical outlook and professional identity. We investigated three issues here: gender, pro bono experience, and whether students had received ethics training.

**Table 3:** Models summary – effects on values, moral outlook and professionalism associated with pro bono, ethics training and gender

		<b>PRO BONO</b>	<b>GENDER</b>	<b>ETHICS TRAINING</b>
		<b>Yes</b>	<b>Female</b>	<b>Some</b>
Reference Category		<i>No</i>	<i>Male</i>	<i>None</i>
<b>VALUES</b>	Openness	+*	-	+
	Self-Enhancement	-	-**	-
	Self-Transcendence	+***	+***	-
	Conservation	-**	+	+
<b>MORAL OUTLOOK</b>	Moral identity	+**	+***	+**
	Moral Attentiveness	+	+	+*
	Moral Disengagement	-	-***	-
	Entitlement	-	-*	-*
<b>PROFESSIONAL IDENTIFICATION</b>	Legal Professional Identification	-	+***	+
	Professional Role Identity	+	+*	+
	Occupational Commitment			
	Continuance	-	+*	+
	Affective	-	-***	-

\* indicate a statistically significant effect at \*0.05, \*\*0.01 and \*\*\*<0.001.

Table 3 summarizes the extent to which female students, those who had done pro bono work, or those that had experienced some ethics training had higher (indicated by a +) or lower (indicated by a -) scores on the values, moral and professional outlook indicators.

60% of our respondents were female. These results indicate the female students:

- Valued self-enhancement less and self-transcendence more highly than the male students.<sup>17</sup>
- Had a stronger sense of moral identity, being more likely to agree that they wanted to be seen as a moral individual, whereas the male students tended towards a more equivocal position.<sup>18</sup>
- Had a lower level of moral disengagement and a lower sense of entitlement.<sup>19</sup>

These differences in the women are all consistent with a greater disposition to behave ethically. In terms of professional identity, the female students:

- Had higher level of legal professional identity and higher levels of professional role identity.<sup>20</sup>
- Women also had greater levels of continuance commitment to the legal profession than men but, interestingly, lower levels of affective identity.<sup>21</sup>

This suggests the female students were more committed to the profession because of the costs of alternative courses of action whereas the male students were more likely to feel emotionally committed.

44% of students had experience of pro bono work. Those who had undertaken pro-bono work valued conservation less and self-transcendence and openness more than those who had not done pro bono.<sup>22</sup> Their stronger preference for an intrinsic value (self-transcendence) predicts greater ethicality but the weaker emphasis on conservation and greater openness to change can be associated with more risky behaviour. Students who had done pro bono were more also likely to indicate a stronger moral identity.<sup>23</sup> What we are not distinguishing between here is whether pro bono students who chose to do pro bono programmes already had stronger moral identities or their identities were strengthened by their experiences on the programmes.

47% of students had experience of ethics training. This was much lower for undergraduate students (12% had such experience), consistent with ethics being rarely taught at an undergraduate level in England and Wales. Statistically significant relationships between ethics training and values or professional identification but those who had done ethics courses did indicate stronger moral identity, moral attentiveness and a lower level of entitlement.<sup>24</sup> All these indicate a stronger ethical propensity in students who have studied ethics.

Both the pro bono and the ethics training data suggest that there may be positive ethical impacts from both kinds of intervention as there is an association between ethical identity and both elements of legal education, independent of our other measures (such as progression through law school). We should be wary of jumping to conclusions however, as it is possible that students who select ethics courses (where they are not mandatory) or those who choose to do clinical/pro bono programmes may already have more ethical identities (See, especially, Schmedemann, 2008). Our results may be reflecting the choices of students rather than the influence of pro bono work or ethical education. This is something which merits further investigation.

#### *A TEST OF ETHICALITY?*

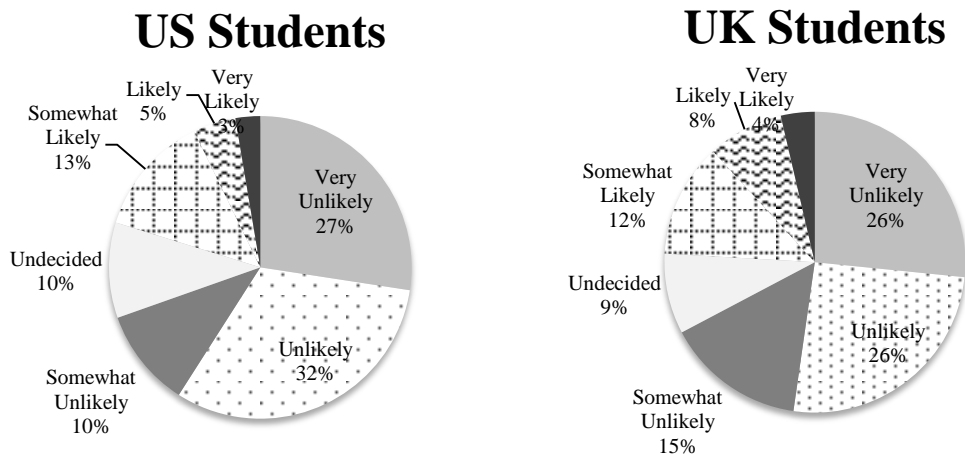
Although many of the indicators we have analyzed are precursors to ethical conduct and so influence ethical behavior, it is possible for us to take our analysis one step further. We have data on a more direct, albeit self-reported, assessment of propensity to behave unethically in a legal context.<sup>25</sup> Students were asked to answer a question

designed to test the ethicality of their decision-making. In it, they were told the following:

*Imagine that you are a lawyer consulting on a project. You are completing a time sheet that will determine whether or not you will earn a £3000/\$5000 bonus. You are five hours short of the 500 billable hours necessary. However you could bill 5 hours spent on a training course in order to meet the goal without anyone finding out, although this is against company policy.*

Respondents were then asked: “How likely is it that you will bill the 5 hours in order to reach your target?” and asked to answer on the basis of 7-point scale: (1) very unlikely, (2) unlikely, (3) somewhat unlikely, (4), undecided, (5) somewhat likely, (6) likely, (7) very likely.

There is not much doubt about the ethical approach here. If the client is billed for work spent on training, rather than time spent on their case it is a clear personal and professional conflict as well as in all likelihood a fraud. Our cohort of students indicated their response as follows:



**Figure 2. How likely would our respondents be to misrepresent their hours?**

As can be seen in Figure 2 the majority of students in the E&W and the US were either very unlikely or unlikely to say they would claim the hours to receive the bonus. Conversely, almost 1 in 4 students in E &W (24%) were likely to claim the hours, with 12% likely or very likely to claim the hours. For US students only 1 in 5 reported being likely with 8% of students likely or very likely to claim the extra hours.<sup>26</sup>

Whilst self-reporting of likely behavior is commonly used as one means of understanding ethicality, it has limitations. When we have presented these results to students and colleagues they suggest quite strongly that the results under-estimate the likelihood of unethical conduct. This intuitive response fits with the view that these findings would be subject to a bias which may inhibit admissions of likely unethical conduct, even though the survey is anonymous. We do not see this data as representing a concrete estimate of likely unethical conduct, but we do see an indication that they would be likely to misrepresent hours as indicating a stronger propensity to engage in ethical conduct. As such, the data provides an imperfect but

interesting opportunity to examine propensity to unethical conduct in a more direct way.

Two ordinal regression models were fitted to explore whether the response to this test was related to the values, ethics and professionalism indicators of our cohort. The first looked at all students, the second focused on only those who intended to pursue a career in law.<sup>27</sup> The results are summarized in Table 4. A + indicates a positive association with more ethical conduct and a – indicates a negative association. Blanks indicate an absence of any difference. The statistically significant associations are the most important and are marked with asterisks.

There are relatively few significant associations within the models (Table 4). In terms of our interest in progression through legal education, LPC/BPTC students were less likely to agree they would falsify their timesheet than first years and third/fourth year E&W students.<sup>28</sup> Similarly, students in the latter years of their US degree were somewhat more likely to act ethically, although the findings were not significant. There is also confirmation that higher moral disengagement scores were associated with less ethical behaviour.<sup>29</sup>

Finally, and interestingly, among those who wished to practice law, higher levels of affective commitment were associated with less ethical behaviour on the billing task.<sup>30</sup> It will be recalled that prior work on the influence of professional identity formation on ethicality is mixed. Our suggestion that affective commitment creates a felt obligation to the profession's objectives rather than a deeper commitment to its values is supported.

**Table 4. Outcome of the ethics question on the basis of education, values, morals and professionalism, comparing all students (Model E) and those intending to practice (Model F).**

		<b>Model</b>	<b>E</b>	<b>F</b>
Pro Bono		Yes compared to No	-	-
Gender		Female compared to Male	-	-
Ethics Training		Some compared to None	-	-
Year Level	E&W	3rd/4th Year compared to 1 <sup>st</sup> year E&W	-	+
		LPC/BPTC compared to 1 <sup>st</sup> year E&W	+*	+**
	US	2nd Year compared to 1 <sup>st</sup> year US	-	-
		3rd/4th Year compared to 1 <sup>st</sup> year US	-	-
Lawyer		Yes compared to No	+	
Type of Law		Business/Company compared to Government/Individuals		-
		Other/Unsure compared to Government/Individuals		-
		Openness	+	+
Values		Self-Enhancement	-	-
		Self-Transcendence	-	-
		Conservatism	+	+
Moral Outlook		Moral identity	+	+
		Moral Attentiveness	+	+
		Moral Disengagement	***	***
		Entitlement	-	-
Professional Identification		Legal Professional Identification	-	-
		Professional Role Identity	-	-
		Occupational Commitment		
		Continuance	-	+
		Affective	-	-*

#### *A COMPARISON OF US AND E&W STUDENTS*

Finally, we compare the US and E&W students. There are a number of reasons why we might expect differences in the two jurisdictions. One is the potential for cultural differences between students in the US and England and Wales which may affect their values and other elements of ethical identity. A second is the potential for differences in the structure and approach of US and E&W education. US students would generally have been a bit older than the E&W students, and their JD education leads immediately into practice, whereas even the BPTC/LPC postgraduate courses predate a process of practical work based training making actual qualification more distant for the England and Wales students.

In the models above we are able to compare individual year groups with each other (so US Year 1 can be compared with E&W Years 1, 2 and 3 in turn for example). We also modelled a simpler comparison replacing the year level with an E&W/US

variable to show differences between the two countries without reference to year.<sup>31</sup> The significant differences were as follows:

- First year undergraduates in E&W valued self-transcendence less than US and other E&W students.<sup>32</sup>
- First year US and second year US students demonstrated higher moral identity scores than E&W LPC/BPTC students,<sup>33</sup> and collectively US students also demonstrated a higher overall degree of moral identity than E&W students.<sup>34</sup>
- There were no significant differences between the moral attentiveness scores of US students and E&W students.
- US students demonstrated lower levels of moral disengagement than E&W students.<sup>35</sup>
- US students were associated with lower entitlement scores when compared to E&W students.<sup>36</sup>
- US students were associated with higher continuance and affective commitment scores.<sup>37</sup>
- Compared to first year E&W students, First Year US students demonstrated more ethical behaviour on the billing task but LPC/BPTC students were also significantly more likely to not overbill than third/fourth year E&W students and third/fourth year US students.<sup>38</sup>

The picture is quite detailed, often with differences being seen only at the level of individual year groups, rather than between US and E&W students as a whole. Where there were differences at the collective level, the US students had stronger ethical identities than the students in E&W.

#### **IV. DISCUSSION**

To consider the results in the round, we might ask ourselves the following question. Of all the following factors: country, legal education, career intention, gender, pro bono/clinical experience, or, ethics training, which appeared to be the most strongly associated with the ethical identity of law students?

This study suggests that, when looking at values, moral outlook (considered across a range of indicators), and professional commitment and identification (again across a range of indicators) gender appears to be the most consistently associated with ethical outlook, professional identity and values differences. Female students had identities which, on a wide range of indicators were suggestive of a greater propensity to be more ethical. They valued self-enhancement less and self-transcendence more highly than the male students. They had a stronger sense of ethical identity and lower levels of moral disengagement and entitlement. Female students demonstrated higher levels of legal professional identification. The female students also had greater levels of continuance commitment to the profession but lower levels of affective attachment

with the legal profession. In our study, affective commitment was associated with greater ethical weakness. The identity of female students was significantly and consistently more ethical than the male students, although in the one clear – if imperfect – test of ethicality that they were given they did not differ significantly from the men.

What of the diminished ethicality thesis? We compare students at different stages of their legal education to examine whether students further through the process have different moral identities than those earlier in the process. One should be careful not to read in cause and effect here. As a cross-sectional study, we can examine whether any associations between level of progression are consistent or inconsistent with the diminished ethicality thesis, but a longitudinal study would be needed to evidence causal links.

Taking each element of ethical identity in turn, amongst England and Wales students our analysis does not support the diminished ethicality thesis. Indeed, values profiles indicated a disposition towards intrinsic values that was significantly stronger amongst students in the later stages of their legal education. In terms of moral outlook, E&W students in the later years of their studies were significantly less morally disengaged and had less of a sense of entitlement.

For US students, whilst having somewhat stronger ethical identities than the E&W students, the picture in relation to legal education is less comforting. We did not find significant differences in values across the year groups but we did find differences in moral outlook: moral identity and moral attentiveness were significantly weaker amongst the US students in the third year when compared with their first years. There were also differences in professional commitment and identification consistent with the diminished ethicality thesis. Third year US students had significantly lower professional role identity but second and third years had higher levels of the more problematic affective commitment. Counter-intuitively, third years had lower levels of legal professional identification.

These results suggest professional identity may be evolving in contradictory, perhaps unsatisfactory, ways. The meaning of professional identification and its construction during legal education is something which bears greater scrutiny. Why do US students appear more affectively committed to being lawyers but identify as legal professionals less later in their degrees? Is affective commitment really associated with greater propensity to behave unethically?

After gender, the most pervasive differences in ethical identity were found in comparing students who did and did not intend to practice law once they left law school. Intention to practice law was associated with a set of values, moral outlook and professional commitment and identification which was mixed in nature. Elements of ethical identity associated with less ethicality can be seen in the significantly lower valuing of self-transcendence and higher professional role identification but there are also some positives: a stronger moral identity and valuing of conservation as well as displaying predictably stronger levels of identification with, and continuance (but not affective) commitment to, the legal profession. If we adopt Chambliss' (2012) language, in terms of the ethical identity of law students amongst

those intending to practice we see signs of ethical fading but also ethical development.

Interestingly, when we compare those intending to practice business law and those intending to practice for individuals or government, we see more signs of ethical fading amongst the would-be business lawyers: they valued self-enhancement significantly more and self-transcendence significantly less. They were also identified as significantly less morally attentive. Given that different kinds of career intention are associated with different kinds of ethical identity and that the association between career intentions and ethical identity appears more pervasive than, and independent of, the stage of legal education our students were at, our results suggest that the pull of the legal profession may have more of an effect on ethical identity than any socializing effects from the push of legal education.

That would oversimplify the story though. We can also examine the impact of two purportedly humanising elements of legal education. Clinical/pro bono programmes and ethics courses are both aimed at making students more ethical and more oriented towards the public interest, rather than self-interest. Students who have been engaged in such programmes appear to value self-transcendence significantly more, consistent with what proponents of these programmes would hope for. They also value openness to change more and conservation less, a value profile associated with being more willing to take risks, which in turn can be associated with greater propensity to be unethical. Equally, proponents of innovation would argue lawyers need to be more open to change and taking more risks if society is to be better served by the legal system (Hadfield 2013).

Students with experience of pro bono/clinical programmes were also significantly more morally attentive. The results for students having experience of ethics training suggest those who have experience of ethics courses had stronger moral identity, greater moral attentiveness and lower senses of entitlement. Their moral identities can be seen to be more ethical as a result. We should also note that the effects we found on pro bono and ethics education are weaker or absent when we look only at England and Wales students. This may suggest that the influence of pro bono, clinical and ethics programs are significantly weaker in England and Wales, where they are also generally less well developed (Moorhead, 2015).

Of course, being a cross-sectional study these results support the claims that clinical/pro bono and ethics courses are beneficial, but we do not rule out the possibility that the associations we found are caused by more ethically inclined students selecting these courses (or selecting them earlier in their degree programmes – as US students, BPTC and LPC students would all be expected to complete a professional ethics course) and not all our students having done ethics courses, we are not able to ascertain whether students with particular moral identities choose these programmes rather than being changed by them. Longitudinal study would be better able to isolate such effects.



## CONCLUSIONS

This paper examines the ethical identity of law students across a much wider range of dimensions than has previously been conducted. It also, unusually, looks across jurisdictions, allowing us to look more broadly at ethical identity across two common law professions with two different educational structures. In both jurisdictions we find ethical identity strongly associated with gender and career intentions. Women, in particular, have moral identities associated with more ethical conduct. Intending lawyers have different ethical identities to those not intending to practice law. Those differences are mixed in terms of the predicted effect on ethicality. Scholarly anxiety about the influence of business on professional identity is supported by the weakening of moral identities seen in students intending to practice business law.

As such our results suggest that the strongest influences on ethical identity are external to or only peripherally related to legal education. The ethical identity of law students as a body is heavily influenced by the innate characteristics of the students, and particularly how many women, are attracted to law schools and their career intentions (which may be strongly influenced by law firms – although also perhaps by law schools - as well as individual student preferences).

Conversely, the claim that legal education diminishes student ethicality is questioned by our evidence. For students in England and Wales, our results suggest these law students have more ethical identities later in law school. The position in relation to US students suggests a more complex picture: in particular US law students' shows signs of both strengthening and weakening of their ethical identity.

Our evidence on the point has limitations. This is a cross-sectional, not a longitudinal study and – in spite of the wide variety of indicators we use - it is possible that ethical degradation occurs at law school but eludes our measurements. Our data concentrates on ethical identity, ethical sensitivity and ethical motivation, rather than other aspects of ethicality. It may be that the diminished ethicality is better evidenced in other dimensions or is a more subtle process than can be captured by the macro approach of quantitative research. However, a significant body of work suggests the relevance and utility of the measures we use and, indeed, our indicators have picked up some significant differences that are plausible and consistent with existing theory (Moorhead 2012). This suggests that our measures are insightful indicators for the purposes of this debate. In sum, if law school leads to a profound change in the ethical identity of law students, we would expect to see signs of it in our data and we do not. Neither the US nor the E&W data is consistent with strong ethical degradation taking place at law school. As such our data casts doubt on the literature which suggests law school is a site of profound and negative identity change.

Similarly, whilst, for students in England and Wales, ethical identity appeared to strengthen later in legal education it is possible that we are witnessing general ethical maturation rather than something specific to law school. It is possible also that, but for law school, the ethical identities of students would have matured more strongly, than in fact took place (or – in the case of our US students- with less contradiction). Further work would be needed to establish whether ethical maturation was inhibited by law school. The impact of pro-bono and ethical programmes would be more clearly seen in longitudinal approaches too.

In the meantime, our data suggests that the diminished ethicality thesis is questionable, that law students do show signs of ethical growth, alongside a more equivocal process of professional commitment and identification, and that some elements of legal education, such as ethics and clinical programmes appear to be associated with stronger ethicality. The pull effect of career intentions and the conflicting evolution of professional identity we have found suggest law schools may need to look harder at how they prepare their students for legal practice and the jobs market and firms should consider how they signal their own ethical identities. Furthermore, whether ethical degradation occurs or not, between a fifth and a quarter of our students were prepared to admit hypothetically they were willing to falsify time records for personal (and business) gain. There is clearly more to do to understand and strengthen the ethical capacities of law students.

-end-

## **Appendices**

Table 5. Factor Loadings for Professional Identity Scales<sup>4</sup> (bolded numbers demonstrates where loadings occur)

QUESTIONS	Factor Loadings				Communalities
	1 <i>Legal Professional Identification</i>	2 <i>Continuance Commitment</i>	3 <i>Gen. Professional Identification</i>	4 <i>Affective Commitment</i>	
<b>Legal Professional Identification Scale Questions</b>					
In general, when someone praises lawyers, it feels like a personal compliment.	<b>0.58</b>			-0.16	0.46
In general, when someone criticizes lawyers, it feels like a personal insult.	<b>0.61</b>				0.37
When I talk about lawyers, I usually say "we" rather than "they".	<b>0.54</b>				0.31
Law's successes are my successes.	<b>0.74</b>			-0.12	0.59
If a story in the media criticized lawyers, I would feel embarrassed.	<b>0.76</b>			0.13	0.51
<b>Profession Identification Scale Questions</b>					
I often think about being a professional			<b>0.67</b>		0.51
I do not have any clear concept of myself as a professional person.			<b>0.42</b>		0.20
To be a professional person is an important part of my identity.	0.16	0.10	<b>0.78</b>		0.69
<b>Occupational Commitment</b>					
I am proud to be associated with the legal profession.			.13	<b>-.72</b>	0.66
I am enthusiastic about law.			.11	<b>-.73</b>	0.62
Changing professions now would be difficult for me to do.		<b>.86</b>			0.71
Too much of my life would be disrupted if I were to change my direction.		<b>.91</b>			0.78
I feel a responsibility to the legal profession to continue in it.	.22	<b>.34</b>		-0.29	0.39
Even if it were to my advantage, I do not feel that it would be right to leave law now.	.12	<b>.38</b>		-0.25	0.30
Extraction Sums of Squared Loadings	3.95	1.49	1.08	0.56	
% of Total Variance	28.18	10.67	7.73	4.02	
Total Variance				50.60%	

<sup>4</sup> Extraction Method: Principal Axis Factoring. Rotation Method: Oblim with Kaiser Normalization. Rotation converged in 7 iterations. Small numbers suppressed (<0.10)

**Table 6: Model A.1 Values - Parameter Estimates  
(Reference Group for Year Level: First Year E&W)**

		Openness		Self-Enhancement		Self-Transcendence		Conservation		
		Est	S.E	Est	S.E	Est	S.E	Est	S.E	
Constant		0.28***	0.07	0.02	0.06	0.16***	0.06	-0.35***	0.06	
Pro Bono	No									
	Yes	0.10*	0.04	-0.06	0.04	0.12***	0.04	-0.10*	0.04	
Ethics	No									
	Yes	0.04	0.05	-0.04	0.05	-0.03	0.04	0.05	0.04	
Female	Male									
	Female	-0.03	0.04	-0.11**	0.04	0.11***	0.03	0.01	0.03	
Want to be Lawyer	No									
	Yes	-0.15***	0.05	0.06	0.05	-0.09*	0.04	0.09*	0.04	
Year Level	E&W	1 <sup>st</sup> Year								
		3 <sup>rd</sup> / 4 <sup>th</sup> Year	-0.03	0.08	-0.07	0.07	0.03	0.06	0.06	0.06
		LPC/BPTC	-0.08	0.08	-0.11	0.08	0.18**	0.07	-0.02	0.07
	US	1 <sup>st</sup> Year	-0.02	0.07	-0.10	0.07	0.17**	0.06	-0.04	0.06
		2 <sup>nd</sup> Year	-0.07	0.08	-0.12	0.07	0.13*	0.06	0.04	0.07
		3 <sup>rd</sup> Year	-0.03	0.08	-0.03	0.08	0.11	0.07	-0.05	0.07

**Table 7: Model A.2 Values - Parameter Estimates  
(Reference Group for Year Level: First Year US)**

		Openness		Self-Enhancement		Self-Transcendence		Conservation	
		Est	S.E	Est	S.E	Est	S.E	Est	S.E
Constant		0.25***	0.07	-0.08	0.06	0.33***	0.06	-0.39***	0.06
Pro Bono	No								
	Yes	0.10*	0.04	-0.06	0.04	0.12***	0.04	-0.10*	0.04
Ethics	No								
	Yes	0.04	0.05	-0.04	0.05	-0.03	0.04	0.05	0.04
Female	Male								
	Female	-0.03	0.04	-0.11**	0.04	0.11***	0.03	0.01	0.03
Want to be	No								
Lawyer	Yes	-0.15***	0.05	0.06	0.05	-0.09*	0.04	0.09*	0.04
	1 <sup>st</sup> Year	0.02	0.07	0.10	0.07	-0.17**	0.06	0.04	0.06
	E&W 3 <sup>rd</sup> /								
	4 <sup>th</sup> Year	0.00	0.07	0.03	0.07	-0.14*	0.06	0.10	0.06
Year Level	LPC/BPTC	-0.05	0.07	-0.01	0.07	0.01	0.06	0.02	0.06
	1 <sup>st</sup> Year								
	US 2 <sup>nd</sup> Year	-0.05	0.06	-0.02	0.06	-0.03	0.06	0.07	0.06
	3 <sup>rd</sup> Year	-0.01	0.07	0.07	0.07	-0.06	0.06	-0.01	0.06

**Table 8: Model B.1 Other Ethical Identity Indicators - Parameter Estimates**  
**(Reference Group for Year Level: First Year E&W)**

		Moral identity		Moral Attentiveness		Moral Disengagement		Entitlement		Legal Professional Identity		Professional Role Identity		Occupational Commitment			
		Est	S.E.	Est	S.E.	Est	S.E.	Est	S.E.	Est	S.E.	Est	S.E.	Continuance	Affective	Est	S.E.
Constant		4.69***	0.08	4.06***	0.13	2.74***	0.08	2.92***	0.12	0.63***	0.10	0.51***	0.09	-0.81***	0.10	0.66***	0.09
Pro Bono	No																
	Yes	0.17***	0.05	0.09	0.08	-0.03	0.05	-0.03	0.08	-0.01	0.06	0.02	0.06	-0.05	0.06	-0.05	0.06
Ethics	No																
	Yes	0.15	0.06	0.21	0.09	-0.06	0.06	-0.19	0.09	0.13	0.07	0.11	0.07	0.03	0.07	-0.13	0.06
Female	Male																
	Female	0.40***	0.05	0.07	0.07	-0.40***	0.05	-0.15*	0.07	0.23***	0.06	0.13*	0.06	0.15**	0.06	0.31***	0.05
Want to be	No																
Lawyer	Yes	0.17*	0.06	0.10	0.10	-0.11	0.06	0.09	0.09	0.49***	0.07	0.56***	0.07	0.73***	0.07	0.81***	0.07
Year Level	First Year																
E&W	Third/ Fourth Year	0.01	0.10	0.03	0.15	-0.07	0.10	-0.09	0.14	0.20	0.11	-0.13	0.11	0.10	0.11	0.20	0.10
	LPC/BPTC	-0.09	0.10	0.13	0.16	-0.43***	0.10	-0.35*	0.15	0.04	0.12	-0.03	0.12	0.09	0.12	0.15	0.11
	First Year	0.33***	0.09	0.14	0.14	-0.47***	0.09	-0.34**	0.13	0.13	0.10	0.05	0.10	0.13	0.10	0.12	0.09
US	Second Year	0.18	0.10	-0.03	0.15	-0.38***	0.10	-0.39***	0.14	0.06	0.11	-0.12	0.11	0.26*	0.11	0.41***	0.10
	Third Year	-0.10	0.10	-0.31	0.16	-0.39***	0.11	-0.30	0.15	-0.12	0.12	-0.23	0.12	0.23	0.12	0.57***	0.11

**Table 9: Model B.2 Other Ethical Identity Indicators - Parameter Estimates (Reference Group for Year Level: First Year US)**

		Moral identity		Moral Attentiveness		Moral Disengagement		Entitlement		Legal Professional Identity		Professional Role Identity		Occupational Continuance		Occupational Commitment Affective		
		Est	S.E.	Est	S.E.	Est	S.E.	Est	S.E.	Est	S.E.	Est	S.E.	Est	S.E.	Est	S.E.	
Constant		5.02***	0.08	4.20***	0.13	2.27***	0.08	2.58***	0.12	0.50***	0.10	0.46***	0.09	0.68***	0.10	0.78***	0.09	
Pro Bono	No																	
	Yes	0.17***	0.05	0.09	0.08	-0.03	0.05	-0.03	0.08	-0.01	0.06	0.02	0.06	-0.05	0.06	-0.05	0.06	
Ethics	No																	
	Yes	0.15**	0.06	0.21*	0.09	-0.06	0.06	-0.19*	0.09	0.13	0.07	0.11	0.07	0.03	0.07	-0.13*	0.06	
Female	No																	
	Yes	0.40***	0.05	0.07	0.07	0.40***	0.05	-0.15*	0.07	0.23***	0.06	0.13*	0.06	0.15**	0.06	0.31***	0.05	
Want to be Lawyer	No																	
	Yes	0.17*	0.06	0.10	0.10	-0.11	0.06	0.09	0.09	0.49***	0.07	0.56***	0.07	0.73***	0.07	0.81***	0.07	
Year Level	E&W	First Year	-0.33***	0.09	-0.14	0.14	0.47***	0.09	0.34**	0.13	-0.13	0.10	-0.05	0.10	-0.13	0.10	-0.12	0.09
		Second Year	-0.33***	0.09	-0.11	0.13	0.40***	0.09	0.25	0.13	0.07	0.10	-0.17	0.10	-0.04	0.10	0.08	0.09
	US	LPC/BPTC	-0.42***	0.09	-0.01	0.13	0.04	0.09	0.00	0.13	-0.09	0.10	-0.08	0.10	-0.05	0.10	0.03	0.09
		First Year																
	Second Year	-0.15	0.08	-0.17	0.12	0.09	0.08	-0.05	0.12	-0.07	0.10	-0.17	0.09	0.13	0.10	0.29***	0.09	
	Third Year	-0.43***	0.09	0.45***	0.13	0.08	0.09	0.05	0.13	-0.25*	0.10	-0.28**	0.10	0.10	0.10	0.45***	0.09	



Table 10: Model C - Values (Students who intend to practice law only) Parameter Estimates

		Openness		Self-Enhancement		Self-Transcendence		Conservation		
		Est	S.E	Est	S.E	Est	S.E	Est	S.E	
Constant		0.07	0.08	-0.04	0.08	0.18**	0.07	-0.22***	0.07	
Pro Bono	No									
	Yes	0.09	0.05	-0.04	0.05	0.11**	0.04	-0.11**	0.04	
Ethics	No									
	Yes	0.06	0.05	-0.02	0.05	-0.05	0.04	0.02	0.05	
Female	Male									
	Female	-0.01	0.04	-0.09*	0.04	0.10**	0.04	-0.01	0.04	
Year Level	E&W	1 <sup>st</sup> Year								
		3 <sup>rd</sup> /								
		4 <sup>th</sup> Year	-0.02	0.10	-0.10	0.10	0.01	0.08	0.08	0.09
	US	LPC/BPTC	-0.07	0.09	-0.14	0.09	0.16*	0.08	0.01	0.08
		1 <sup>st</sup> Year	-0.03	0.08	-0.14	0.08	0.12	0.07	0.03	0.07
		2 <sup>nd</sup> Year	-0.07	0.09	-0.19*	0.09	0.16*	0.08	0.05	0.08
	3 <sup>rd</sup> Year	-0.07	0.10	-0.11	0.10	0.12	0.08	0.03	0.08	
Type of Law	Government/Individuals									
	Business/Company	0.06	0.05	0.21***	0.05	-0.17***	0.04	-0.06	0.04	
	Other/Unsure	0.05	0.06	0.10	0.06	0.03	0.05	-0.10*	0.05	

**Table 11: Model D Other Ethical Indicators (Students who intend to practice law only) Parameter Estimates**

		Moral identity		Moral Attentiveness		Moral Disengagement		Entitlement		Legal Professional Identity		Professional Role Identity		Occupational Commitment Continuance		Affective	
		Est	S.E.	Est	S.E.	Est	S.E.	Est	S.E.	Est	S.E.	Est	S.E.	Est	S.E.	Est	S.E.
Constant		4.93***	0.10	4.39***	0.16	2.55***	0.10	2.98***	0.15	-0.16	0.12	0.07	0.11	-0.28*	0.12	-0.13	0.10
Pro Bono	No																
	Yes	0.18**	0.06	0.04	0.09	0.02	0.06	-0.03	0.09	-0.01	0.07	0.04	0.06	0.03	0.07	-0.08	0.06
Ethics	No																
	Yes	0.10	0.07	0.16	0.10	-0.04	0.06	-0.18	0.10	0.10	0.08	0.09	0.07	0.07	0.08	-0.14*	0.06
Female	Male																
	Female	0.35***	0.05	0.00	0.08	-0.37***	0.05	-0.18*	0.08	0.22***	0.06	0.14	0.06	0.16*	0.06	0.30***	0.05
	First Year																
	Third/Fourth Year	0.02	0.12	0.08	0.19	-0.15	0.12	-0.08	0.18	0.27	0.14	-0.08	0.13	0.20	0.15	0.15	0.12
Year Level	E&W																
	LPC/BPTC	-0.12	0.12	0.13	0.18	-0.48***	0.11	-0.35*	0.17	0.10	0.13	-0.05	0.12	0.15	0.14	0.14	0.11
	First Year	0.26*	0.10	0.09	0.16	-0.51***	0.10	-0.37*	0.15	0.21	0.12	0.05	0.11	0.26*	0.12	0.06	0.10
	US																
	Second Year	0.14	0.11	-0.02	0.17	-0.39***	0.11	-0.43*	0.17	0.11	0.13	-0.19	0.12	0.32***	0.13	0.40***	0.11
	Third Year	-0.14	0.12	-0.25	0.19	-0.45***	0.12	-0.32	0.18	-0.02	0.14	-0.25	0.13	0.25	0.14	0.50***	0.12
	Government/Individuals																
	Business/																
	Company	-0.01	0.06	0.33***	0.10	0.09	0.06	0.06	0.09	-0.02	0.07	0.02	0.07	0.13	0.07	0.03	0.06
Type of Law	Other/Unsure	0.08	0.08	0.08	0.12	0.10	0.07	0.14	0.11	-0.10	0.09	-0.11	0.08	0.05	0.09	0.06	0.08

**Table 12: Model E.1 Billing Scenario - Parameter Estimates (Reference Group for Year Level: First Year E&W)**

		Est.	SE
Ethics Qn	Very Unlikely	-0.10	0.61
	Unlikely	1.39	0.61
	Somewhat Unlikely	2.03**	0.61
	Undecided	2.58***	0.61
	Somewhat Likely	3.76***	0.62
	Likely	5.01***	0.64
	Very Likely	0.00	-
Pro Bono	No	0.00	-
	Yes	-0.05	0.13
Gender	Male	0.00	-
	Female	-0.15	0.13
Ethics Training	None	0.00	-
	Some	-0.04	0.15
Year Level	E&W		
	1 <sup>st</sup> Year	<b>0.00</b>	-
	3rd/4th Year	-0.04	0.24
Year Level	US		
	1 <sup>st</sup> Year	0.43	0.22
	2nd Year	0.28	0.24
Lawyer	3rd/4th Year	0.06	0.26
	No	0.00	-
	Yes	0.32	0.17
Values Measures	Openness	0.08	0.31
	Self-Enhancement	-0.43	0.45
	Self-Transcendence	-0.09	0.46
Moral Measures	Conservatism	0.41	0.56
	Moral identity	0.14	0.09
	Moral Attentiveness	0.03	0.06
Professional Measures	Moral Disengagement	-0.74***	0.091
	Entitlement	-0.11	0.061
	Legal Professional Identification	-0.03	0.08
Professional Measures	Role Identity	-0.01	0.09
	Occupational Commitment		
	Continuance	-0.03	0.07
	Affective	-0.18	0.10

**Table 13. Model E.2 Billing Scenario - Parameter Estimates (Reference Group for Year Level: First Year US)**

		Est.	SE	
Ethics Qn	Very Unlikely	-0.52	0.61	
	Unlikely	0.96	0.61	
	Somewhat Unlikely	1.6**	0.61	
	Undecided	2.15***	0.61	
	Somewhat Likely	3.33***	0.62	
	Likely	4.58***	0.64	
	Very Likely	0.00	-	
Pro Bono	No	0.00	-	
	Yes	-0.05	0.13	
Gender	Male	0.00	-	
	Female	-0.15	0.13	
Ethics Training	None	0.00	-	
	Some	-0.04	0.15	
Year Level	E&W	1 <sup>st</sup> Year	-0.43	0.22
		3rd/4th Year	-0.47*	0.21
	US	LPC/BPTC	0.22	0.22
		1 <sup>st</sup> Year	0.00	-
Lawyer	US	2nd Year	-0.15	0.20
		3rd/4th Year	-0.37	0.22
Values Measures	Lawyer	No	0.00	-
		Yes	0.32	0.17
	Values Measures	Openness	0.08	0.31
		Self-Enhancement	-0.43	0.45
Moral Measures	Values Measures	Self-Transcendence	-0.09	0.46
		Conservatism	0.41	0.56
		Moral identity	0.14	0.09
		Moral Attentiveness	0.03	0.06
Professional Measures	Moral Measures	Moral Disengagement	-0.74***	0.09
		Entitlement	-0.11	0.06
		Legal Professional Identification	-0.03	0.08
		Role Identity	-0.01	0.09
Professional Measures	Professional Measures	Occupational Commitment	-0.03	0.07
		Continuance	-0.03	0.07
		Affective	-0.18	0.1

**Table 14. Model F.1 Billing Scenario (Students who intend to practice law only) Parameter Estimates (Reference Group for Year Level: First Year E&W)**

		Est.	SE
Ethics Qn	Very Unlikely	-0.30	0.61
	Unlikely	1.21	0.61
	Somewhat Unlikely	1.83**	0.61
	Undecided	2.39***	0.62
	Somewhat Likely	3.56***	0.62
	Likely	4.80***	0.65
	Very Likely	0.00	-
Pro Bono	No	0.00	-
	Yes	-0.04	0.13
Gender	Male	0.00	-
	Female	-0.19	0.13
Ethics Training	None	0.00	-
	Some	-0.04	0.15
Year Level	E&W		
	1 <sup>st</sup> Year	0.00	-
	3rd/4th Year	0.04	0.25
	LPC/BPTC	0.73**	0.26
US	1 <sup>st</sup> Year	0.55*	0.22
	2nd Year	0.36	0.25
	3rd/4th Year	0.12	0.27
Type of Law	Government/Individuals	0.00	-
	Business/Company	-0.10	0.15
	Other/Unsure	-0.20	0.17
Values Measures	Openness	0.09	0.31
	Self-Enhancement	-0.42	0.46
	Self-Transcendence	-0.05	0.47
	Conservatism	0.40	0.57
Moral Measures	Moral identity	0.15	0.10
	Moral Attentiveness	0.03	0.06
	Moral Disengagement	-0.72***	0.09
	Entitlement	-0.12	0.06
Professional Measures	Legal Professional Identification	-0.01	0.08
	Role Identity	-0.02	0.09
	Occupational Commitment		
	Continuance	0.003	0.07
	Affective	-0.24*	0.10

**Table 15. Model F.2 Billing Scenario (Students who intend to practice law only) Parameter Estimates (Reference Group for Year Level: First Year E&W)**

		Est.	SE
Ethics Qn	Very Unlikely	0.25	0.60
	Unlikely	1.76**	0.60
	Somewhat Unlikely	2.38***	0.60
	Undecided	2.94***	0.61
	Somewhat Likely	4.11***	0.62
	Likely	5.35***	0.64
	Very Likely	0	-
Pro Bono	No	0	-
	Yes	-0.04	0.13
Gender	Male	0.00	-
	Female	-0.19	0.13
Ethics Training	None	0.00	-
	Some	-0.04	0.15
	1 <sup>st</sup> Year	-0.55*	0.22
Year Level	E&W 3rd/4th Year	-0.51*	0.22
	LPC/BPTC	0.18	0.22
Year Level	US 1 <sup>st</sup> Year	0.00	-
	2nd Year	-0.19	0.21
	3rd/4th Year	-0.43	0.23
Type of Law	Government/Individuals	0.00	-
	Business/Company	-0.09	0.15
	Other/Unsure	-0.20	0.17
Values Measures	Openness	0.09	0.31
	Self-Enhancement	-0.42	0.46
	Self-Transcendence	-0.05	0.47
	Conservatism	0.40	0.57
Moral Measures	Moral identity	0.15	0.10
	Moral Attentiveness	0.03	0.06
	Moral Disengagement	-0.72***	0.09
	Entitlement	-0.12	0.06
Professional Measures	Legal Professional Identification	-0.01	0.08
	Role Identity	-0.02	0.09
	Occupational Commitment		
	Continuance	0.003	0.07
	Affective	-0.24*	0.10

**Table 16: Model G – US E&W comparison of values - Parameter Estimates**

		Openness		Self-Enhancement		Self-Transcendence		Conservation	
		Est	S.E	Est	S.E	Est	S.E	Est	S.E
Constant		0.25***	0.05	-0.03	0.05	0.20***	0.04	-0.33***	0.04
Pro Bono	No								
	Yes	0.09*	0.04	-0.07	0.04	0.14	0.03	-0.10	0.03
Ethics	No								
	Yes	0.02	0.04	-0.04	0.04	-0.01	0.03	0.04	0.03
Gender	Male								
	Female	-0.03	0.04	-0.12	0.04	0.11	0.03	0.01	0.03
Want to be Lawyer	No								
	Yes	-0.16***	0.05	0.04	0.05	-0.05	0.04	0.08	0.04
Country	E&W								
	US	0.004	0.04	-0.01	0.04	0.05	0.03	-0.03	0.03

Table 17: Model H US E&amp;W comparison of for outlook and identity - parameter Estimates

		Moral identity		Moral Attentiveness		Moral Disengagement		Entitlement		Legal Professional Identity		Professional Role Identity		Occupational Commitment			
														Continuance		Affective	
		Est	S.E.	Est	S.E.	Est	S.E.	Est	S.E.	Est	S.E.	Est	S.E.	Est	S.E.	Est	S.E.
Constant		4.7***	0.1	4.1***	0.1	2.6***	0.1	2.83***	0.1	-0.5***	0.1	-0.5***	0.1	-0.8***	0.1	0.7***	0.1
Pro Bono	No																
	Yes	0.1	0.1	0.1	0.1	-0.1	0.1	-0.06	0.07	-0.03	0.1	-0.02	0.1	-0.02	0.06	0.03	0.05
Ethics	No																
	Yes	0.01	0.05	0.1	0.1	-0.1	0.1	-0.24***	0.07	0.05	0.06	0.04	0.06	0.1	0.1	0	0.05
Female	Male																
	Female	0.4	0	0.1	0.1	-0.4	0.1	-0.15*	0.07	0.2	0.1	0.1	0.1	0.2	0.1	-0.3	0.1
Want to be	No																
Lawyer	Yes	0.19***	0.06	0.17	0.09	-0.20**	0.06	0.03	0.09	0.49***	0.07	0.60***	0.07	0.72***	0.07	-0.85***	0.07
Country	E&W																
	US	0.19***	0.05	-0.12	0.08	-0.19***	0.05	-0.15*	0.07	-0.04	0.06	-0.04	0.06	0.13*	0.06	0.22***	0.05





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<sup>1</sup> All of the instruments used a scale from 1 (Strongly Disagree) to 7 (Strongly Agree).

<sup>2</sup> To test the utility of the scales in this context the 14 questions from above scales were subject to factor analysis using Principal Axis analysis with oblimin rotation. This analysis yielded 4 factors explaining a total of 50.6 per cent of the variance.<sup>2</sup> KMO and Bartlett's Test of Sphericity both indicate that the set of variables were adequately related for factor analysis with the KMO above Kaiser's recommendation of 0.5 (0.795) and correlations within the matrix were significantly different from zero, meaning that factor analysis was warranted (Barlett's Test  $\chi^2(91) = 4981.53$ ,  $P < 0.000$ ).

<sup>3</sup> Note, the only difference between versions 1 and 2 of the tables is that in both Model A.1 and model B1 the reference category is set as 'First Year E&W' whilst in Models A.2 and B.2 the reference category is set as 'First Year US'. This allows us to explore differences among E&W and US students with greater ease.

<sup>4</sup>  $\beta = 0.18$ ,  $\chi^2 = 6.64$ ,  $p = 0.001$

<sup>5</sup>  $\beta = 0.18$ ,  $\chi^2 = 6.64$ ,  $p = 0.001$

<sup>6</sup>  $\chi^2(2df) = 5.57$   $p = 0.02$

<sup>7</sup> Moral disengagement  $\beta = -0.43$   $\chi^2 = 17.49$   $p < 0.001$ . LPC/BPTC students also had lower levels of moral disengagement than third/fourth year students ( $\chi^2(2df) = 13.44$   $p = 0.001$ ). Sense of entitlement  $\beta = -0.35$   $\chi^2 = 5.30$   $p = 0.02$

<sup>8</sup> Moral identity ( $\beta = -0.43$   $\chi^2 = 24$   $p < 0.001$ ) and moral attentiveness ( $\beta = -0.45$   $\chi^2 = 11.04$   $p < 0.001$ ).

<sup>9</sup>  $\beta = -0.28$   $\chi^2 = 7.95$   $p = 0.005$

<sup>10</sup>  $\beta = -0.25$   $\chi^2 = 5.80$   $p = 0.016$

<sup>11</sup> Second years ( $\beta = 0.29$   $\chi^2 = 11.12$ ,  $p < 0.001$ ) and third years ( $\beta = 0.45$   $\chi^2 = 22.64$   $p < 0.001$ )

<sup>12</sup> Openness to change ( $\beta = -0.15$   $\chi^2 = 9.09$ ,  $p = 0.003$ ), self-transcendence ( $\beta = -0.08$   $\chi^2 = 4.17$ ,  $p = 0.04$ ) and conservation ( $\beta = 0.91$   $\chi^2 = 4.51$ ,  $p = 0.03$ ).

<sup>13</sup> Moral Identity ( $\beta = -0.17$   $\chi^2 = 7.0$ ,  $p = 0.008$ ), occupational commitment (continuance) ( $\beta = 0.73$   $\chi^2 = 97.1$ ,  $p < 0.001$ ), professional role identity ( $\beta = 0.56$   $\chi^2 = 62.26$ ,  $p < 0.001$ ), legal professional identity scores ( $\beta = 0.49$   $\chi^2 = 43.56$ ,  $p < 0.001$ ) and affective commitment scores ( $\beta = -0.81$   $\chi^2 = 144.73$ ,  $p < 0.001$ ).

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<sup>14</sup> Self enhancement ( $\beta=0.21, \chi^2 = 18.00, p<0.001$ ) and self-transcendence ( $\beta=-0.16, \chi^2 = 16.03, p<0.001$ )

<sup>15</sup>  $\beta=-0.10, \chi^2 = 4.04, p=0.04$

<sup>16</sup>  $\beta=-0.33, \chi^2 = 11.51, p<0.001$ . At the same time, those intending to work for businesses/for companies were significantly more likely to score lower on moral attentiveness than those who indicated other/undecided,  $\chi^2$  (2df) 15.08,  $p<0.001$ .

<sup>17</sup> Self-enhancement ( $\beta=-0.11, \chi^2 = 9.34, p=0.002$ ) and self-transcendence ( $\beta=0.11, \chi^2 = 11.72, p<0.000$ ).

<sup>18</sup>  $\beta=0.40, \chi^2 = 67.45, p< 0.001$ . Simulating from Model B.1 whilst controlling for other variables predicted score for males (5.0) brought them slightly closer to ‘neither agreeing nor disagreeing’ on the scale whilst the predicted mean for females (5.4) brought them in line with ‘agreeing’ with the statements asked.

<sup>19</sup> Moral disengagement ( $\beta=-0.40, \chi^2 = 63.66, p< 0.001$ ) and entitlement ( $\beta=-0.15, \chi^2 = 5.04, p= 0.04$ ).

<sup>20</sup> Legal professional identity ( $\beta=-0.23, \chi^2 = 16.01, p<0.001$ ) and professional role identity ( $\beta=-0.13, \chi^2 = 5.09, p=0.02$ ).

<sup>21</sup> Commitment to the legal profession ( $\beta=0.15, \chi^2 = 7.20, p= 0.01$ ) and affective identity ( $\beta=-0.31, \chi^2 = 34.90, p< 0.001$ ).

<sup>22</sup> Conservation ( $\beta=-0.10, \chi^2 = 8.39, p= 0.004$ ) and self-transcendence ( $\beta=0.12, \chi^2 = 12.15, p<0.001$ ) and openness ( $\beta=0.95, \chi^2 = 5.14, p=0.020$ )

<sup>23</sup>  $\beta=-0.17, \chi^2 = 10.59 p=0.001$ .

<sup>24</sup> Moral identity ( $\beta=0.15, \chi^2 = 6.14, p= 0.01$ ) and moral attentiveness ( $\beta=0.21, \chi^2 = 5.42, p= 0.02$ ) and entitlement ( $\beta=-0.20, \chi^2 = 4.69, p= 0.03$ ).

<sup>25</sup> Similar questions have been used by Evans and Palermo (2008) and Arthur *et al* (2014)

<sup>26</sup> This is broadly comparable to findings on a question aiming at similar issues in Arthur *et al*, 2014. They also found quite high levels of susceptibility to overbill among the solicitors in their sample.

<sup>27</sup> Model E looked at all law students whilst Model F looked more specifically at those who intended to pursue a career in law on the basis of potential area of legal practice, split into the same three groups as detailed in previous Models B and D (Government/Individual client work, Company/Business work or Other/Undecided).

Model E and Model F also changed the reference group so that results could be compared against First Year US students and against First Year E &W students.

<sup>28</sup> Model E:  $\beta=0.65$ ,  $\chi^2 = 6.32$ ,  $p=0.01$ ; Model F:  $\beta=0.73$ ,  $\chi^2 = 8.04$ ,  $p=0.005$ ) and third/fourth year E&W students (Model E:  $\chi^2 = 8.34$ ,  $p=0.004$ ; Model F:  $\chi^2 = 8.20$ ,  $p=0.004$ )

<sup>29</sup> Model E:  $\beta=-0.74$ ,  $\chi^2 = 65.70$ ,  $p<0.001$ ; Model F:  $\beta=-0.72$ ,  $\chi^2 = 59.16$ ,  $p<0.001$

<sup>30</sup> Model F1 & F2:  $\beta=-0.24$ ,  $\chi^2 = 5.98$ ,  $p=0.01$

<sup>31</sup> Models G and H. Full results for these models can be found in the Appendix.

<sup>32</sup> LPC/BPTC ( $\beta= 0.18$   $\chi^2 = 6.64$   $p=0.01$ ) and first ( $\beta= 0.17$   $\chi^2 = 7.91$   $p=0.005$ ) and second year ( $\beta= 0.13$   $\chi^2 = 64.40$   $p=0.04$ ) US students valued self-transcendence more highly than first year E&W students.

<sup>33</sup> First year US Students:  $\chi^2$  (2df)= 23.9  $p<0.001$ ; Second year US Students:  $\chi^2$  (2df)= 10.21,  $p=0.01$

<sup>34</sup>  $\beta= 0.19$   $\chi^2 = 14.86$   $p<0.001$

<sup>35</sup>  $\beta= -0.19$   $\chi^2 = 14.21$   $p<0.001$

<sup>36</sup>  $\beta= -0.15$ ,  $\chi^2 = 4.4$   $p=0.04$ .

<sup>37</sup> Continuance commitment ( $\beta= 0.13$ ,  $\chi^2 = 5.05$   $p=0.03$ ) and affective commitment( $\beta= 0.22$ ,  $\chi^2 = 16.32$   $p<0.001$ )

<sup>38</sup>  $\beta=0.58$ ,  $\chi^2 = 6.10$ ,  $p=0.0$ . Model E:  $\chi^2$  (2df)=8.34 ,  $p=0.004$ ; Model F:  $\chi^2$  (2df) = 8.20,  $p=0.004$ , Model E:  $\chi^2$  (2df)=8.73 ,  $p=0.003$ ; Model F:  $\chi^2$  (2df) = 9.24,  $p=0.002$

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