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Foreword

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Introduction

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This Special Issue compiles a rich, interdisciplinary analysis of “Women at Work,” that is, the role of women in today’s workplaces, the persistence of gender disparities, the multi-faceted causes, and the interrelationship between women’s fate and other proposals for business reform. Professor Claire Hill organized this conference to reflect upon, complement, and amplify, a recent book, *Fair Shake: Women and the Fight for a Just Economy* (Simon & Schuster, 2024), by Naomi Cahn, June Carbone, and Nancy Levit. The Issue starts with an interview of the authors. In the interview, the authors describe how they came to write the book and their surprise in discovering that, in investigating workplaces that disadvantaged women, they saw the same patterns again and again. Those patterns involve a shift from a system of institutionalized power to personalized power, much more competitive workplaces that pit employees against each other, and outsized rewards for those who can break the rules and get away with it. With greater lawlessness and less accountability, gender disparities increase. The authors situate what has happened to women within the larger transformation of the American economy and argue that only collective action, through strengthening unions and reinvigorating the rule of law, can produce systematic reform.

The next section of the Issue addresses the relationship between monetary rewards and gender disparities. In *The Homo Economicus Model of Work Describes Men More than Women, But Only in WEIRD Cultures*, Thomas Talhelm conducted a cross-cultural empirical study to test the impact of different incentives on men and women. He found that in Western cultures, money had a greater motivating effect for men than women in comparison with psychological incentives, but that the opposite was true in non-Western cultures such as China, with men responding more strongly than women to social incentives and less strongly to monetary rewards. He concludes that cultural differences shape these results, suggesting that the differences are malleable. Complementing the Talhelm study, Amalia R. Miller and Carmit

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Segal, in *Tournament Incentives and the Triple Bind for Working Women*, also conduct an empirical analysis of the role of monetary incentives in increasing gender disparities in the workplace. They summarize the literature on “tournament” incentives that introduce high-stakes rewards pitting employees against each other, noting that the literature generally finds that such incentives increase worker effort but undermine cooperation and mentorship. The authors then summarize their own extensive empirical work, demonstrating that men increase effort to a greater degree than women in response to monetary incentives, and when given a choice of tournament style compensation versus flat rate rewards, men are more likely than women to choose the competitive incentives, at least with respect to higher stakes prizes. The authors note that the effects of competitive workplaces tend to be mutually reinforcing. Tournament-like workplaces tend to reward greater dedication to the job, and both the longer hours and the more intense competition tend to increase male dominance in such jobs. In addition, they discuss the potential impact of rule breaking in compounding the effects and complicating the potential for reforms.

The third section of the Issue considers the role of gender stereotyping in increasing workplace disparities. Claire Hill, in *An Economic, Psychological, and Linguistic Explanation of (Some Reasons) Why Women Don't Get a Fair Shake*, discusses the role of “prototypes,” “proxies,” and other mechanisms people necessarily use to make decisions and more broadly, to organize their worldviews. Prototypes involve concepts like “Santa Claus,” identified with related traits such as white beards. Proxies indicate that a concept is applicable, such as a luxurious car suggesting that its owner is wealthy. Proceeding without prototypes and proxies is unimaginable. But considering “women” as prototypes or using traits such as height to indicate leadership aptitude significantly disadvantage women. Drawing on the linguist Deborah Tannen’s work, Hill provides the fascinating example of conversational conventions, which differ for men and women. Individual men and women ignore these conventions at their peril because leadership potential is often judged in terms of the ability to navigate these social interactions, and because others—such as stock market traders—may make decisions to buy and sell based on gendered “tells” that suggest greater or lesser CEO confidence in their companies. Adding to this section, Melissa Vink, in *A Quadruple Bind? How Romantic Partner Dynamics May Hold Women Back at Work, Especially in the ‘Winner Take All’ Economy*, explores a different aspect of gender stereotyping: the role of intimate partner

dynamics in shaping workplace experiences. Instead of focusing on the workplace in isolation, she considers the relative earning capacity of romantic partners in affecting work performance. Much of the literature on women's disadvantages in the workplace describe a "second shift" in which women, typically paired with higher earning men, assume greater domestic responsibilities. Vink's article, in contrast, discusses the challenges women face when the women are more successful or have greater social status than their male partners. She shows how these relationships are often harshly judged, particularly in more gender traditional cultures, triggering backlash, and how gender stereotypes affect both career decisions and relationship success. She describes the impact of these negative attitudes as a "fourth bind," limiting women's career opportunities and choices.

The fourth section explores the role of lawlessness, that is, the ability to break the rules—including both the formal law and ethical custom—in shaping workplace cultures. Matthew T. Bodie's, *The Lawless Workplace*, captures the ways that "American managers enjoy relatively unbridled flexibility in designing shop-floor policies unique in modern democracies." This makes American companies more dynamic and profitable than many of their international counterparts. The lawlessness, however, also contributes to inequality in American society, privileging those who, like Elon Musk, thrive on chaos and have economic or relational advantages that allow to prosper. Bodie points out, however, that the net effect "contribute[s] to a disordered society and a sense of powerlessness for those who are not the winners." An interview with Renee Jones, former Director of the SEC's Division of Corporation Finance, illustrates the shift. She has a new book, on "untamed unicorns," coming out that describes how start-ups with billion-dollar valuations are able to stay private much longer, limiting their transparency and oversight, and furthering the lack of accountability in tech and finance.

The final section proposes solutions. Daniel Chen, in *Exploring Mutable Characteristics and Discriminatory Perceptions in Justice Systems*, provides an illuminating exploration of the role of artificial intelligence (AI), in detecting and potentially countering judicial bias on the basis of gender, race and other characteristics. Chen shows, for example, that his existing research documents that "judges with higher gender slant are more likely to reverse decisions by female district judges, less likely to assign opinion authorship to female judges, and less likely to cite female judges' opinions," and

rule less favorably to women in gender-related cases. He suggests that the AI techniques he is pioneering could be used more systematically to identify gender bias in all kinds of decision-making—and in appropriate cases, to use AI systems to guide fairer decision-making. Eugene Borgida's and Nicholas M. Alia's *On Triple Bind Remedies in Fair Shake and Gender Bias Remedies in Psychological Science* then suggests social science remedies that work in increasing women's full workplace participation. The authors propose a three-step solution. First, the injustices of the winner-take-all economy (WTA) need to be made visible to trigger public outrage. Second, these injustices need to be linked both to the persistence of gender discrimination and counterproductive results for society as a whole. Third, women should have access to platforms "to voice their own experiences with being penalized by the WTA economy." Borgida and Alia emphasize that social science research has been effective in identifying the reforms that work, and these techniques can be applied to system-level as well as individual reform.

Taken together, these pieces present a far-reaching examination of women's continuing limitations within the workplace and the possibilities for reform. The conclusion to the Issue starts with the old joke: "How many psychologists does it take to change a light bulb? Only one, but the lightbulb has to want to change." The Issue demonstrates that the causes of—and solutions for—the lack of gender equality in the workplace are increasingly well understood. What is less well understood is how women's fates are tied to not only historic discrimination and continued stereotyping but also to a new winner take all corporate dynamic that makes women the canaries in the coal mine for a radically unequal and unjust system.