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ACHIEVEMENT ORIENTATION AND LEARNED  
HELPLESSNESS IN WOMEN

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One hundred and fifty-five Texas juries were examined to determine the sex of the person elected foreman. Because the role of the foreman is traditionally a male role and a leadership role, it was hypothesized that few women would strive for the position of foreman and that few would be elected to it. It is believed that the proportion of women foremen is a reflection of lack of achievement orientation (or learned helplessness) on the part of women in this situation, and of the degree to which members of the group have internalized the concept that women are less competent than men for a traditionally male leadership role.

Of the 155 foremen only 14 were women, a finding which is significant at the .00001 level.

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ACHIEVEMENT ORIENTATION AND LEARNED  
HELPLESSNESS IN WOMEN

The impact of sex-role definitions on female achievement striving in American culture permeates almost all of our social institutions. While females show high achievement compared to males during the school years, there has been growing concern expressed about the low rates of achievement shown by females in adulthood. This phenomenon has been related to sex-role definitions. A sex-role is a role which is culturally defined as appropriate or "natural" for a sex. Some of the factors contributing to phenomena such as societal sex-role stereotypes and attitudes are external to the woman herself, but may create barriers to her aspirations (O'Leary, 1974). O'Leary also suggests internal factors such as fear of failure, low self-esteem, and role conflict, as well as the perceived consequences and incentives for engaging in achievement-related behaviors, may stifle female achievement. Stein and Bailey (1973) propose in their monograph on the socialization of achievement orientation in females that cultural sex-role definitions may lead many females to show motivation in areas that are more sex appropriate than areas of intellectual superiority or leadership. Stein and Bailey review research

that seems to support the hypothesis that females' achievement orientations are likely to be manifested in areas which represent culturally defined sex-appropriate activities.

While most women channel their achievement orientations into activities that are consistent with female role definitions, there are individual and group departures from this pattern. Some groups of women appear to adjust their concepts of femininity to include more masculine patterns of achievement striving. One important reason may be the low status of most activities and spheres of work, such as child care and domestic responsibilities, defined as feminine in American society (Stein & Bailey, 1973). Thus, although there are pressures to engage in feminine role-related activities, there are relatively few rewards for doing so. On the other hand, there are rewards as well as negative feedback for the woman who chooses to pursue occupational achievement in her own right. In a sense, there is no path that a woman can choose that is both highly rewarded as well as conflict free.

A learning theory model referred to as "learned helplessness" (Seligman, 1974) may have some application to this problem. Helplessness has been produced in experimental animals by submitting them to trauma that is inescapable regardless of their responses. The animals learn that responding and trauma are independent--that trauma is uncontrollable. This produces the following motivational effect,

according to Seligman (1974): "it reduces the probability that the subject will initiate responses . . . the organism's motivation to respond is undermined by experience with reinforcers that it cannot control . . . this motivational effect is what we believe underlies passivity in learned helplessness." (p. 95) Research on learned helplessness is quite new; most research has been conducted on animal subjects. However, the phenomenon has been demonstrated in humans (Seligman, 1974).

That women take passive roles in intellectual and leadership situations may be related to their non-contingent punishment in achievement or leadership situations. To take leadership for a more specific example, it may be that women strive for the leadership position infrequently; that they become passive in this situation because of "punishment" in similar situations. Learned helplessness theory would predict that women would take a passive role in the election of a leader if in previous similar situations they had experienced punishment. That most women have experienced some "punishment" in situations that demand the selection of a leader is probably true, especially true in mixed sex groups. Many women who have strived for a leadership position and have attained it have had difficulty integrating this role into what they believed to be their feminine role. Others may have experienced some external punishment such as ridicule from others or difficulty in persuading

others to follow a female leader. Women who have never experienced a leadership role may still experience a type of punishment in that they do not experience the prestige that they see others, especially men, enjoying. They might also experience a vicarious punishment in their perception of others in leadership positions who are punished. Both situations could lead to a lowering of self-esteem and a concomitant rise in passivity such as that in learned helplessness. Those who experience uncontrollable outcomes will later tend not to make responses to control that outcome (Seligman, 1974). In this sense learned helplessness is the effect, rather than the cause, of experience in competitive situations. It should be obvious how difficult it is to tease out the cause-and-effect relationship of learned helplessness in a situation such as this.

In accord with this theory, to strive there must be an incentive in the form of an expectation that responding may succeed. In the absence of such expectations, when an organism believes responding is futile, voluntary responding will not occur (Seligman, 1974). Thus, learned helplessness causes the low level of striving for the position of leader among women because they do not expect that they will be chosen as leader even if they were to strive. Again, this expectancy is probably created by experience, either personal or vicarious, with mostly male leaders. This

expectancy is reinforced by television, politics, movies, literature, and the culture in general.

The effect of "learned helplessness" on female achievement, if one exists, might be investigated by looking at the relative frequency with which women are elected as leader of a male-female group, where none of the group members are acquainted with one another and the group task is a novel one. It would be expected that if the role were not seen as traditionally feminine in nature, the women in the group would strive for the leadership role much less frequently than would the males, regardless of whether one sex or the other might be a more appropriate task leader. In addition, they would be less likely to nominate other women for the leadership role. Naturally, the results would also be influenced by the fact that women are perceived as less competent as leaders than men in American society (see Goldberg, 1968; Fidell, 1970).

Such a small-group, novel situation, that requires the election of a leader, exists. It is the twelve-person jury in which jurors must elect a foreman. In all but the rarest of cases, none of the jurors have met before, and most are composed of both males and females. The jury is an especially good example because it is both the novel situation required to test the learned-helplessness hypothesis and it is also traditionally a male institution in our culture.



In the jury situation, women may either strive or not strive for the position of foreman. The position of foreman is also historically a male role. Women have been discouraged from striving for nonfeminine roles by negative reinforcement. The learned-helplessness model would predict that few women would be elected to the position of foreman both because they would not strive for that position and because women are perceived as less competent than males for that role.

#### The History of Juries in Terms of Sex Roles

Historically, women have not been perceived as competent for jury service. It has been only in recent years that women have served on juries in the United States. At common law, juries were composed of twelve men. Since the common-law jury was confined to men, it has been said that to the framers of the Constitution, jury meant a body of twelve men (Buxton, 1970). Gradually, beginning in the Territory of Wyoming in 1870, women were allowed to serve as jurors. Few states immediately followed Wyoming's example. Female eligibility for jury service was not widely litigated until the years immediately following World War I, when, as a result of the nationwide women's suffrage movement, the nineteenth amendment was adopted (Johnston & Knapp, 1971).

With the passage of the nineteenth amendment in 1920, some states automatically granted women the right to serve

as jurors by virtue of state laws providing that all eligible voters were qualified to be jurors (Kuhn, 1968). State statutes enacted after women's suffrage took three general approaches to the right of women to serve as state jurors: (1) women were qualified to serve as jurors on the same basis as men; (2) women were neither barred from serving nor compelled to serve as jurors; or (3) women were denied the right to serve as jurors. In those states where women were neither barred from jury duty nor compelled, women might apply for an exemption based solely on sex, or in other states, had to volunteer if they wished to be considered for jury duty (Kuhn, 1968).

As recently as 1968, women were excluded as a class from juries in two states, while three others permit women to serve only if they ask to be called (Kuhn, 1968). To the present day, the Supreme Court has not ruled the exclusion of women from jury service unconstitutional, despite several test cases (Schulder, 1970). In 1969, Mississippi still excluded women from juries in state courts. The Mississippi exclusionary statute was upheld in 1966 by the Mississippi Supreme Court in Mississippi v. Hall. The Supreme Court of Mississippi gave the following reasons for allowing the exclusion of women from juries:

The legislature has the right to exclude women so they may continue their service as mothers, wives, and homemakers, and also to protect them (in some areas, they are still upon a pedestal) from the filth, obscenity, and noxious atmosphere that so often pervades a court room during a jury trial.

It is apparent that the Mississippi Supreme Court did not view jury service compatible with traditional feminine sex-roles. The petitioner in Mississippi v. Hall appealed to the United States Supreme Court but his appeal was dismissed (Kimble, 1969).

#### How Juries are Chosen at the Federal District Court Level

Today, while there is still some variation concerning the service of women on juries at the state level, the system is uniform at the Federal District Court level. With the adoption of the Civil Rights Act of 1957, women became eligible for federal juror service on the same basis as men in all states at the federal court level (Buxton, 1970). Women are now called for jury duty in the same proportion that women appear on voter registration lists.

Jury venires for trials at the Federal District Court level are chosen from voter registration lists. It is the responsibility of the Clerk to the Court to randomly select names from the voter registration lists, mail out juror qualification forms, and fill the master jury wheel. This plan is based on the conclusion that the intent of the Jury Selection and Service Act of 1968 will be accomplished and

implemented by the use of voter registration lists as the source of an at-random selection of petit jurors who represent a "fair cross-section" of the community as required by the Act.

It should be noted, however, that there have been a number of studies concerning the fairness of the use of voter registration lists. Beiser (1973) and others have found that jury venires selected from voter registration lists tend to be disproportionately male. So while women would seem to be called for jury duty equally often as men, on a superficial level, the manner of selection is biased so that men are slightly overrepresented on venires.

Federal law states that a person is qualified to serve on a jury unless he:

(1) is not a citizen of the United States Eighteen years old who has resided for a period of one year within the judicial district; or  
(2) is unable to read, write, and understand the English language with a degree of proficiency sufficient to fill out satisfactorily the juror qualification form; or (3) is unable to speak the English language; or (4) is incapable, by reason of mental or physical infirmity, to render satisfactory jury service; or (5) has a charge pending against him for the commission of, or has been convicted in a State or Federal Court of record of, a crime punishable by imprisonment for more than one year and his civil rights have not been restored by pardon or amnesty. (Local Rules of the United States District Court for the Western District of Texas)

The following persons may also be excused from jury service by individual request: (1) all members of the clergy;  
(2) women who have legal custody of a child or children

under the age of ten years; and (3) all physicians, dentists, registered nurses, and attorneys engaged in actual practice.

Women who wish to be excused because they have custody of children may indicate their wish on the juror qualification form. The Clerk to the Federal District Court in Dallas estimated 90% of the women who are eligible to be excused for this reason do ask to be excused (McElroy, personal communication, September, 1974). This may be due in part to the ambiguous way in which that part of the juror qualification form that concerns this exemption is worded.

Jurors are paid \$20.00 per day of service, enough to pay for day care or home supervision of the children. Women who perceive themselves as less competent for jury service than men or who do not feel that the role of a juror would be compatible with their concept of their feminine role may be using this exemption even though jury service would not interfere with their child-rearing routine. A comparison of the proportion of women who report for jury service compared to those called for jury service might determine the extent to which women avoid jury service.

Usually, a jury venire of thirty people is called for a criminal trial at the Federal District Court level. The attorneys for the government and for the defense examine each juror in a process referred to as voir dire. After the voir dire, the jury is selected as those individuals who have not been named in the twelve peremptory challenges

of the attorney for the defense and the six peremptory challenges of the government. After hearing the case in court, the judge instructs the jury to elect a foreman and to retire to decide their verdict.

The role of foreman on the jury is one of leadership, prestige, and power. At the Federal District Court level the foreman is elected by the jury after the case has been heard and before the deliberation of the verdict begins (this varies according to jurisdiction at the state and local levels). The foreman is the leader of the rest of the jury; he directs discussion, calls for votes on the verdict, mediates disputes among jurors, and communicates questions from the jury to the presiding judge.

#### Hypotheses

Because the role of the foreman is traditionally a male role and a leadership role, it is hypothesized that few women will strive for this position and that few will be elected to it. This study will not determine whether women actually did strive for the role of foreman. It is believed however, that the proportion of women foremen will be both a reflection of both the lack of achievement orientation (or learned helplessness) on the part of the women in this situation and of the degree to which all members of the group have internalized the concept that women are less competent than men for a traditionally male leadership role.

In summary, it is hypothesized that women will be less frequently elected jury foreman than would be expected by their proportion on juries.

### Method

#### Collection of Data:

The proportion of female jury foremen elected by juries was studied at the Federal District Court level. The sample included the juries from every criminal jury trial tried at the Federal District Court level between January, 1971, and June, 1974, in Dallas and San Antonio, Texas. The sample was limited to those trials in which the jury rendered a verdict, or in the case of a mistrial, those at which the jury foreman wrote notes to the presiding judge. In either case, a foreman had been elected by the jury and the foreman's sex could be determined from the jury verdict form, the notes to the judge, or from the original juror qualification form.

The composition of each jury according to sex was determined from the jury panel seating arrangement chart. If a particular juror's sex could not be determined from the seating arrangement chart, the original juror qualification form was consulted.

#### Subjects:

Jurors in this sample were drawn from master jury wheels in San Antonio and Dallas, as required by the Jury Selection

and Service Act of 1968. Prospective jurors were randomly selected from voter registration lists from the counties comprising the Federal District concerned.

During the period from January, 1971, to June, 1974, there were 155 criminal jury trials which fit the criteria of the study. There were 1,860 jurors who participated in the 155 trials, of which 862 were women and 998 were men. Thus the total sample was 46.34% female and 53.66% male.

There were 948 jurors in the sample from Dallas, representing 79 juries. The Dallas sample included 417 women and 531 men. Thus, the Dallas sample was 43.99% female and 56.01% male. The jurors were drawn from a master jury wheel which was 50% female, 50% male. However, 53.66% of the jurors reporting for service were male and 46.34% were female (Report on Operation of the Jury Selection Plan to the Administrative Office of the United States Courts, Dallas Division, Northern District of Texas, May 28, 1974).

The San Antonio sample included 912 jurors, of which 445 were female and 467 were male. The jurors represented a total of 76 juries. The sample was 48.79% female and 51.21% male. The jurors were drawn from a master jury wheel which was 53.22% female and 46.78% male (D. Benedict, U. S. District Clerk for the Western District of Texas, San Antonio Division, personal communication, July, 1974). Table I shows the frequency of the different jury compositions by sex in the Dallas and San Antonio samples.



TABLE I  
 JURY COMPOSITION FREQUENCY BY SEX IN THE  
 DALLAS AND SAN ANTONIO FEDERAL COURTS,  
 JANUARY, 1971 THROUGH JUNE, 1974

		Number of women on jury/Number of men on jury													
		0/12	1/11	2/10	3/9	4/8	5/7	6/6	7/5	8/4	9/3	10/2	11/1	12/0	Total
Dallas	1	2	5	14	15	9	8	2	1	1	0	0	0	79	
San Antonio	1	0	2	9	5	16	15	14	4	6	4	0	0	76	
Total	2	2	7	14	21	30	30	23	12	8	5	1	1	155	

### Analysis of Data:

The proportion of female jury foremen was statistically analyzed, using a  $X^2$  one-sample test which reflected the proportion of women on each jury. The proportion of women on the jury was used to compute the chance of a woman being elected foreman.

A statistical test was also applied to determine if there was a significant difference between the proportion of females in the jury wheel and those reporting for jury duty; and between those reporting for jury duty and those selected to serve on juries. This was not possible with the data from San Antonio.

It was not possible to test for a difference in verdicts rendered by juries with male foremen compared to those verdicts rendered by juries with female foremen in this sample. The low number of female-foreman juries made the application of a statistical test invalid.

### Results

Among the 155 jury foremen, 14 were women; 141 were men. The 79 Dallas juries elected 7 women foremen, the 76 San Antonio juries elected 7 women foremen. A  $X^2$  one-sample analysis of these frequencies yielded a  $X^2$  value which was significant at the .00001 level. The  $X^2$  analysis is shown in Table II.

TABLE II  
 THE FREQUENCY OF WOMEN FOREMEN EXPECTED BY CHANCE AND  
 AS FOUND IN THE SAN ANTONIO AND DALLAS COURTS,  
 JANUARY, 1971 THROUGH JUNE, 1974

	Number of Women on Jury												Total	
	0	1	2	3	4	5	6	7	8	9	10	11		12
Number of Potential Female Foremen	0	2	7	14	21	30	30	23	12	8	5	1	0	153
Number Statistically Expected	0	.16	1.16	3.5	7	12.5	15	13.4	8	6	4.1	.91	0	72
Number of Female Foremen Found	0	0	0	1	1	1	3	2	3	1	1	0	0	14

$X^2 = 48.41, p = .00001, df = 10$

Note: There were two juries which were all male

In the Dallas sample, the proportion of females serving on juries is significantly less than the proportion of females reporting for jury service ( $p < .01$ ). The proportion of females reporting for jury service does not differ significantly from the proportion of women in the master jury wheel.

### Discussion

As hypothesized, the proportion of female jury foremen is significantly lower than would be expected by chance. Less than 10% of the foremen were women. The low proportion of women is probably the result of several factors. First, women are chosen for the traditionally male role of foreman infrequently, both because women are not perceived in our society as being as competent as men and because women have so internalized their cultural perception of women as less competent than men they may frequently decline the leadership role when it is offered to them. More important, however, it may be a reflection of the motivational effect of learned helplessness in women--they do not expect to succeed and they have been punished for striving for male leadership roles in the past.

It appears that Texas attorneys select male rather than female jurors to a significant degree. On the other hand, women do not seem to be escaping their jury duty on the strength of their exemption for those with custody of children under 10.

The low proportion of women foremen has important implications when one considers that it may produce a non-random bias in the verdicts delivered by the juries. There is some evidence that suggests that males and females react differently to cases and tend to deliver different verdicts. Snyder (1971) used the verdicts of real juries to compare the decisions of members of all-male juries with those reached by members of male-female juries on civil cases. She found that although the "superior-status litigant" won more frequently than the "inferior-status litigants," his ability to do so decreased when he confronted a male-female jury. Status determinations were arrived at on the basis of a hierarchy of social positions in which businesses or groups were regarded as being superior to individuals, men superior to women, whites superior to Negroes, and adults superior to youths. She suggested that this increase in the inferior-status litigant's ability to win juror decisions with the addition of women to juries has broad implications for the society as a whole. Because a foreman can have a large influence over a jury, the possibility that the verdicts in this sample may have been non-randomly biased must be considered. The same may be true of any sample in which the proportion of foremen of either sex is especially high or low.

Very little investigation beyond Snyder's work has been done concerning differences between male and female verdicts. However, Kuhn (1968) commented that the presence of women on juries in some southern states has had an ameliorative effect on the justice meted out in civil rights cases. And Zeisel (1968) found a sharp differentiation by sex among whites concerning opposition to the death penalty. Using data drawn from various public opinion surveys, Zeisel found the following rates of opposition to capital punishment: white males, 45%; white females, 58%. Jurors opposed to the death penalty would naturally be excluded from jury service in a trial for which that might be the punishment. The important point is, however, that Zeisel's study suggests that there may be other areas in which males and females would favor different types of punishment or verdicts.

Keeping in mind the possible differences in male and female verdicts, it is important to examine the extent to which a foreman can influence the verdict of the jury. Bevan, Albert, Loiseaux, Mayfield, and Wright (1958) investigated jury behavior as a function of the behavior of the foreman. They found that the foreman could reliably change individual jurors' decisions. The study focused on how jury verdicts and settlements were decided in civil cases. The foreman for each mock jury of 11 others was a male confederate introduced as either a "high-status" college professor or a "low-status" shoe salesman. While neither the

status of the foreman nor his manipulated mode of leadership, autocratic or democratic, exerted consistent effects, the jury foremen were able to reliably change the opinions of individual jurors concerning what constituted equitable damages in a civil case. The sample was small but represented a wide range of occupations and educational and economic levels. This study brings into focus the large influence a foreman can have on a jury. It also suggests that the influence of a woman juror would be greater than one-twelfth were she the foreman of that jury.

When the large influence of the jury foreman on the jury and the high proportion of male foremen are considered together, the possibility of non-random bias in verdicts must be evaluated. This non-random bias, if it exists, is particularly important to those on trial. If the trends in Snyder's research are valid, it is the third-world, poor, young, and female defendants who suffer.

In conclusion, while the findings of this study do not contradict the hypotheses, neither do they show causation. More experimental manipulation is needed to determine why so few women are selected as foreman. However, discussing this problem in the light of learned helplessness should increase understanding of the phenomenon.

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