

[Lawyers in a Blocked Society]

Career Expectations and Professional Success in the Italian Legal Labour Market

Abstract: This article focuses on the changing conditions of Italian lawyers, starting from the widespread idea - here assumed as a general hypothesis - of the law profession that, in many cases, could be a way out for people with unfulfilled career expectations. In detail, a brief introduction situates the increase in the number of lawyers in the context of an economy with a low capacity to create high-education jobs, while the first section highlights the segmentation of the legal labour market. The second section then examines the relationship between initial career expectations and professional success, also paying attention to social origins as a determinant of success or failure. Furthermore, it attempts to typify and understand different choice patterns. For these purposes, the author presents selected findings of a study on lawyers based in Florence.

Keywords: Professions, Lawyers, Labour Market, Social Stratification, Class, Status, Individual Choices.

Introduction: the paradox of Italian lawyers

Since the 1970's, in the United States as well as in Europe, a substantial number of scholars have directed their attention to a series of changes occurring in the structure of employment. Among them, Touraine (1969) and Bell (1973) have adopted the concept of "post-industrial society" to describe a new phase in capitalist development, which has entailed a decline in manufacturing and an expansion of service and information industries. In relation to this phenomenon there has been a progressive contraction of so-called "proletarian" occupations and an increase in managerial and technical positions. In this regard, referring specifically to the United States, Wright (1997) has therefore spoken of a process of "de-proletarianization".

However, some authors have gone further to theorise the rise of a "new class" at the top of the social ladder, though using a variety of labels. Ehrenreich and Ehrenreich (1977a; 1977b), for instance, depicted a *professional-managerial class* formed by salaried mental workers, whose role in the social division of labour has been the reproduction of capitalist class relations. Gouldner (1979), by contrast, spoke of a class of *intellectuals*, basically antagonistic to capitalist interests. Based on a stronger theoretical framework and a wide range of comparative data, a well-known work of Erikson and Goldthorpe (1992) instead portrayed the so-called *service class* - a concept already employed by Renner and Dahrendorf, here used to indicate a group composed of professional, administrative and managerial workers - as a still heterogeneous entity, but with a developing "demographic

This article and the research it refers to would not have been possible without the work of Franca Alacevich and Annalisa Tonarelli. Barbara Saracino then helped us in data analysis. The author however assumes full responsibility for what is written.

identity”. More recently, putting the emphasis on creativity as a more comprehensive heuristic concept, Florida (2002) described the rise of a class of educated workers, namely the *creative class*.

Although they refer to occupational groups that are very different from each other, in effect, all these contributions seem to converge in indicating a growing relevance of high-education occupations and an overall tendency, among them, towards homogenization in the social and cultural fields.

Criticisms of the theory - some suggest “rhetoric” - of a new class of educated workers, whatever the label used, came from Brint (1994). As regards the category of professionals, in particular, the author argued that their rapid increase in the United States was accompanied by a splintering along functional, organizational and market lines; hence, they are now composed of a different population mix, from both a socio-economic and a political point of view. Brint explained this phenomenon as being a consequence of the move towards a new model of professionalism, so-called “expert” professionalism, more profit-oriented, involving a closer association between professions and business. This applied to new as well as old professions. «When a profession such as law grows four times as fast as the population», he wrote as an example, «it is not surprising that a great many lawyers, in their struggle to make a living, treat law as a trade solely for profit» (ibid.: 9). He then described professions as internally divided occupations.

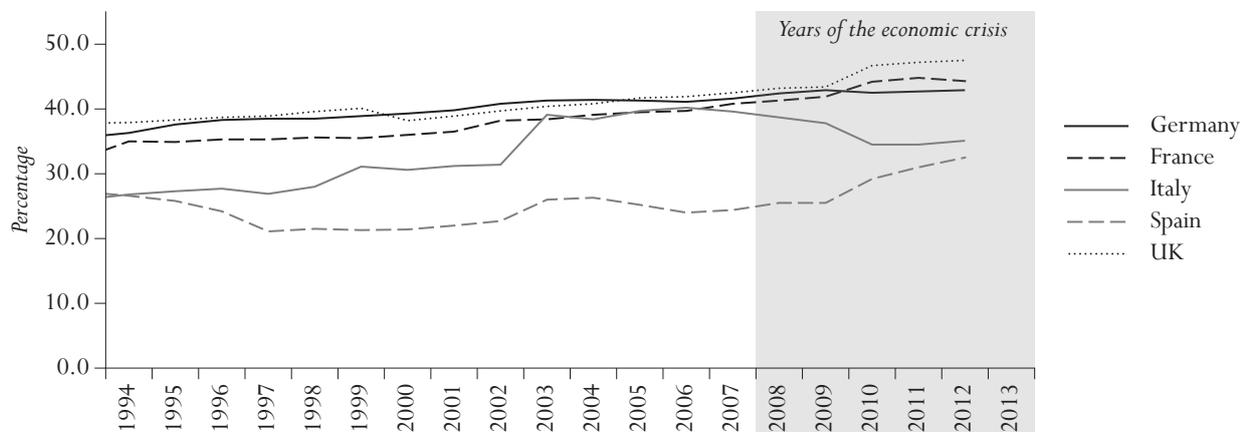
Other authors have stressed the ever-growing importance of professionals as agents of formal (or expert) knowledge (Freidson 1986), who also play a key role in the legitimation of new institutional arrangements (Scott 2008; 2010) and, thereby, in the transformation and reproduction of the institutions of capitalism. In particular, Scott (2008) depicted professionals as those who supply the “choreography” in the “dances” of individuals and organizations, and has distinguished different types of professions, depending on the theoretic cultures they refer to (cultural-cognitive, normative, regulative) and their roles (creative, carrier, clinical). On the other hand, he concluded that all professionals take part in the creative process, though in different degrees and manners.

To sum up, what emerges from this preliminary picture is that: first, the post-industrial transition entailed, among other things, a rise in the number of high-education occupations, but associated with a greater division of labour and a differentiation of economic and social conditions; second, among them, professionals represent the most relevant group, in both numerical and functional terms. This is true for the United States, to which most of the aforementioned authors referred, and for all advanced capitalist countries, though with some specificities.

Figures 1 to 3 show a comparison between Italy and four other European countries.

The first finding is that, since the mid-Nineties, Germany, France and the United Kingdom have had a parallel evolution of the ratio of high-education occupations to total employment. After a decade of quick-paced growth, Italy instead registered a decline (see Figure 1). In 2013, their proportion was considerably lower in Italy than in other countries, apart from Spain.

Figure 1 - Trends in the ratio of high-education occupations (managers, professionals, technicians) to total employment in five European countries (1994-2013)

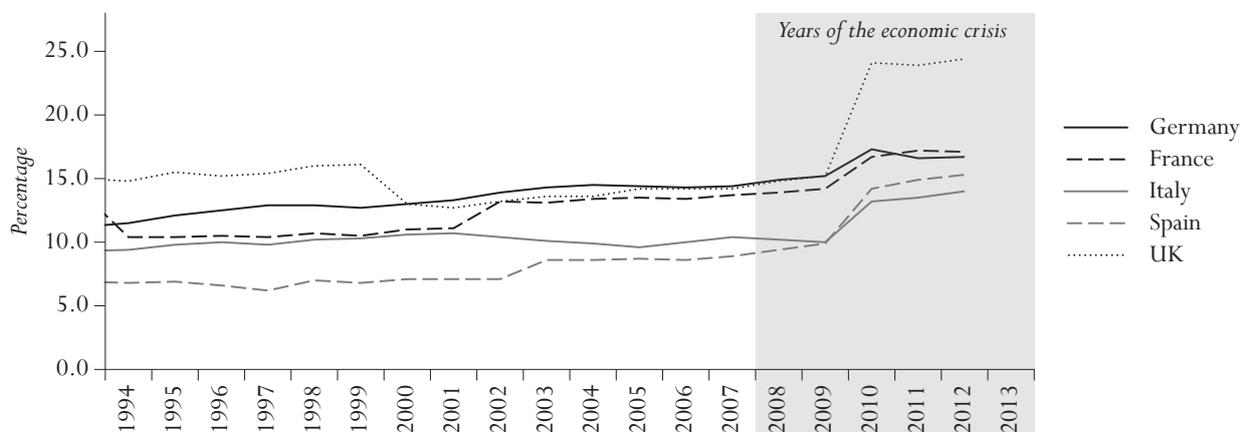


Source: Eurostat, Labour Force Survey



The second finding is that, despite a traditionally higher trend of self-employment, Italy also has a lower proportion of professionals (see Figure 2)¹.

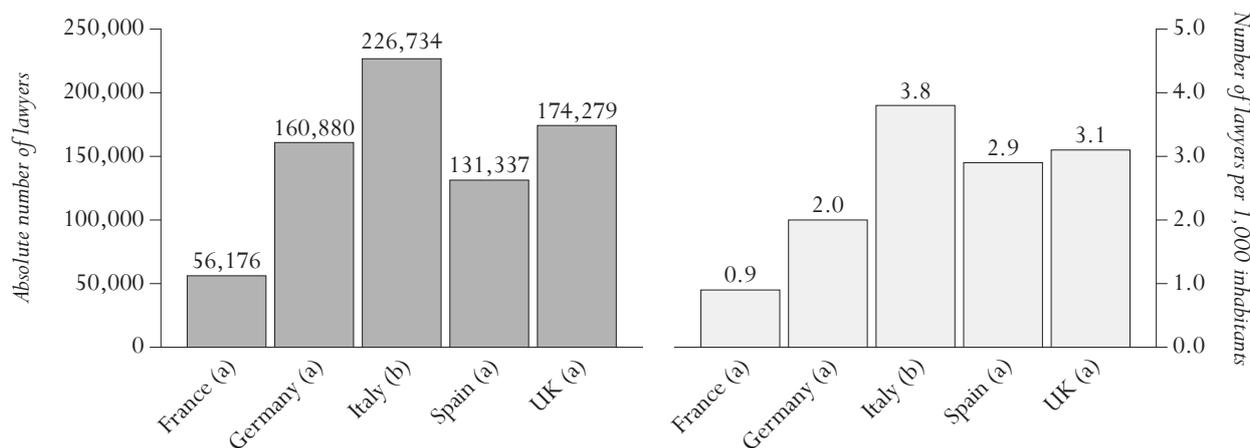
Figure 2 - Trends in the ratio of professionals to total employment in five European countries (1994-2013)



Source: Eurostat, Labour Force Survey

Figure 3 indicates Italy's paradox in displaying a lower capacity to create high-education jobs while having the highest number of lawyers (both as an absolute value and in proportion to the total population). This phenomenon is a matter of concern for the professional community, which has long since complained of a saturation of the legal service market. It should also be seen in light of the relatively low intra-generational mobility and the persistent inequalities in career prospects, depending on social origins, as revealed by sociological research from Cobalti and Schizzerotto (1994) onwards.

Figure 3 - Number of lawyers in five European countries (2012)



Notes: for the United Kingdom, only England and Wales are considered, but data include also legal advisors

Sources: (a) CEPEJ (2014); (b) Cassa forense

¹The peak registered by all countries in 2011 is probably due to changes made in the classification of occupations (ISCO). In the 2008 version, in fact, a number of occupations - e.g. teachers, nurses, physiotherapists, occupational therapists, opticians, and musicians - have been moved to the major group of professionals, while new occupations in ICT and the environment have been added.

In this context, the general assumption is that *the law profession, in many cases, could be a sort of way out for people holding a university degree in law, but not finding job openings in either the private or public sector, or in other legal professions such as judge and notary*. A corollary is that *career expectations at the time of enrolling at the university could have an effect on professional success*. The scope of this article is to evaluate these hypotheses by examining this relationship, also in consideration of the role of other variables - namely gender, age and social origins - commonly seen as determinants of success or failure. Furthermore, it aims to typify and understand university- and career-related patterns of choice.

In detail, the first section of the article seeks to highlight the key features of the Italian legal labour market. Then, the second and central section addresses the above issues by presenting selected findings of a study on the lawyers based in Florence. There follows a general reflection on the law profession - paraphrasing Parsons (1939) - as a social structure.

Labour market segmentation and models of professionalism

As Brint (1994: 23) again wrote, «professions are, above all, a phenomenon of labor market organization». As such, they presuppose the existence of a market demand for tasks that require specific education and training, and a privileged access to the market itself. Many scholars, from Sarfatti Larson (1977) to Abel (1985) and Freidson (1986), have put great emphasis on the role of (codified) knowledge in the creation and control of a professional labour market. Freidson (2001) himself, then, suggested considering the *professional* labour market as a “third type” of market, to be distinguished from the *free* market and the *bureaucratic* market, because of the presence of mechanisms of closure which contribute to forming what Freedman (1976) had called a “protected” labour market.

According to Freidson, ideally, the control of the labour market - expressed in the exclusive right to decide “who is in and who is out” - would make it possible to maximize workers’ average income in light of demand, and therefore reduce inequality within the professional group. From Mills (1951) onwards, sociological research has revealed that, in reality, the legal professional market has always tended to be characterised by an internal segmentation and stratification. As an example, see the studies on the lawyers of Chicago, from Carlin (1962) to Heinz and Laumann (1982) and Heinz *et alii* (2005). In North America, again, see the “Bourdiesian” works conducted by Dinovitzer (2006; 2011) and Dinovitzer and Garth (2007). In the United Kingdom, then, Francis (2011) described divergent models of legal professionalism, pointing to the emergence of a so-called “contingent” professionalism, increasingly “fluid” to respond to the challenges it faces in the twenty-first century.

As to Italy, already at the end of the 1960’s, Prandstraller (1967) and Giovannini (1969) spoke of a declining profession. The latter, in particular, observed that in larger cities such as Milan, Rome and Florence a few organized law offices had the monopolistic control of big business, in a situation of “pathological competition”, associated with a “moral deterioration” of the profession itself. The author also noted a tendency to the “pauperisation” of the legal market and focused attention on the conditions of “marginal” professionals, who were not part of an organized law office and were thus excluded from big business. He then indicated the runaway expansion of the profession as the main reason for this occurrence.

As a matter of fact, the discourse on the excessive number of lawyers and its economic and social costs is not that new in Italy. Quite the contrary, it was already present in the first quarter of the twentieth century, when Calamandrei (1921), a prominent Italian jurist, entitled one of his essays *Troppi avvocati!* (Eng. trans. *Too many lawyers!*).

In recent years, in effect, this phenomenon has taken on alarming dimensions. Since the mid-1990’s, the number of registered lawyers in Italy has grown at a steady pace, reaching a peak of almost 230,000 in 2012. In the same period, the average assessed annual income was essentially stagnant and, with the onset of the crisis of 2008, has returned to the 1990 level. As a consequence, most of the new entries have found themselves below the threshold of 45,000 euro, a substantial part of which is below 10,000 euro. The situation is even more serious for women lawyers, whose average income is 54.6 percent lower than that of men (Bellini 2014).

This has brought about deep organizational (and cultural) changes, involving career patterns and, generally, the ways of practicing the law profession.

To assess these changes, Figure 4 reports an employment map describing the distribution of Italian lawyers by professional status. In particular, following Ranci (2012), who was in turn inspired by a work of Savage *et alii* (1992), three dimensions are taken into account: *entrepreneurship*, defined as the presence of employees; *economic independence*, defined as the reliance on more than one client; and *organizational autonomy*, defined as the freedom to decide where to work and/or to set work hours (labelled as “full”, “partial” or “none”, according to whether both, one or none of the aspects can be freely decided). The analysis of these dimensions, in combination with each other, distinguishes the area of formal independence from those characterised by different degrees of actual dependence.

The first discovery is that relatively few lawyers have an entrepreneurial character, since they have at least one employee (17.2 percent), while most of them are “fully independent” professionals with no employees (63.2 percent)². Besides, a significant number have full organizational autonomy, but only one client (10.1 percent). The remaining are above all “mixed” figures, with partial or no organizational autonomy and/or economic independence (8.3 percent), while only 1.0 percent are “fully dependent” professionals.

Figure 4 - Self-employed lawyers by professional status (percentage distribution, missing = 0.4) (2013)

ENTREPRENEURSHIP		With employees		17.2	
		With no employees			
ORGANIZATIONAL AUTONOMY		Full	63.2	10.1	
		Partial	4.5	2.2	
		None	1.5	1.0	
			More than one client		Only one client
		ECONOMIC INDEPENDENCE			

Source: Author's elaboration on Istat microdata, *Labour Force Survey*

Hence, the *individualist* model still appears dominant as compared to the *entrepreneurial* one. Nevertheless, it is likely that the former includes a growing area of marginality, probably comprising lawyers at the beginning of their careers, who started practicing the profession with poor social and reputational capital. On the other hand, different models of legal professionalism seem to be emerging. Of notable relevance is the *semi-professional* model, comprising those who have full or partial autonomy, but who are economically dependent on a single client. Among these, in addition to fully dependent professionals, there is a potential supply of *aspiring “employee” lawyers*, protected from market risks, but with few prospects of advancement.

In general, all these groups are expected to include a certain number of vulnerable persons. It is assumed,

² Here, the source of data is Istat Labour Force Survey. Istat collects the information each quarter by interviewing a sample of nearly 77,000 households, representing 175,000 individuals. Data are estimates based on this sample. It must be noted that, in 2013, those who declared themselves as lawyers amounted to 1,637 valid cases, which is a significant number, but not sufficient to conduct analyses with a high degree of disaggregation.

in effect, that for many lawyers the individualist solution is not a deliberate choice, but the only way to enter the profession. These, more than others, are highly exposed to low and discontinuous income. As regards semi-professional lawyers, the reliance on a single client, especially if combined with the presence of organizational constraints, can be seen itself as a factor of latent vulnerability.

Both phenomena, however, can be seen as moves away from the traditional model of liberal professionalism, which was a matter of concern for the professional community, above all in relation to the issue of a (possible) lowering of ethical standards and of the quality of legal services. A different perspective, the one assumed in this article, is that of individual choices and their consequences for individuals themselves. In particular, it has to be verified if the fulfilment or frustration of lawyers' initial career expectations reflects to any extent on their socio-professional status and if, in the absence of formal mechanisms that effectively limit access to the law profession (e.g. the so-called "numerus clausus" for university students), there are hidden processes of social closure that are likely to reproduce traditional patterns of stratification.

Research design and methods

The following section presents selected findings of a research project on lawyers based in Florence³. This study pursued the aim of depicting an updated social profile of Italian lawyers, trying to go beyond a monolithic social representation of liberal professions, linked to a commonplace idea of high status and personal success, and to reveal the differentiation of work and life experiences. The choice of concentrating the analysis on Florence was justified by the fact that the local Order of lawyers is of medium size, but it is embedded in an urban environment which makes it a promising terrain for testing the research hypotheses⁴.

The project was divided into three main phases.

The first phase, exploratory, involved the conduction of focus groups with the representatives and members of local forensic associations. Focus groups were mainly aimed at understanding how the restricted community of "organized" lawyers represent the law profession. In detail, 7 focus groups were established, with a number of participants ranging from 4 to 12, a total of 52, selected from 16 associations (see Annex 1).

The second phase was dedicated to a survey. This was conducted on the total number of members of the local Order of lawyers (4,090 individuals in September 2013, when the research started). The survey instrument was a structured questionnaire, with a variable number of closed questions (from 65 to 100), which was distributed through CAWI (Computer-Assisted Web Interviewing). The overall response rate was 24.1 percent, a total of 964 individuals, who declared that they were *actively practicing law as self-employed professionals*⁵.

The third phase was based on biographical interviews with selected lawyers. The aim, in this phase, was to explore individual experiences in depth, trying to identify different ways of approaching and practicing the law profession and to better understand the social mechanisms that lie behind them. For this purpose, using a snowball procedure and taking into account gender and age differences as well as the varieties of legal fields, we conducted interviews with a sample of 26 individuals (see Annex 2).

³ The research project, promoted by the Department of Political and Social Sciences of the University of Florence and financed by the Order of lawyers of Florence, was coordinated by Franca Alacevich.

⁴ The first results of this research were discussed by Bellini (2014), and Tonarelli and Bellini (2014). References to the project can be found also in Alacevich (2014), Manzo and Pais (2014), and Tonarelli (2014).

⁵ It is likely that the method of distributing the questionnaire had a self-selection effect on the basis of the respondents' ages, given that age can be seen as a proxy of the propensity to use new technologies. Men over 64 years of age, in fact, are underrepresented, whereas people under 35 are overrepresented. Variations are, however, lower than 6 percent. Women are also overrepresented, though by less than 4 percent. The resulting sample is thus a non-probabilistic sample with good representativity in regard to age and gender.

Analysis

A premise - If we assume that forensic associations are “privileged observatories” of the law profession, the analysis of the focus groups seems to reinforce the hypothesis formulated at the end of the introduction.

What emerges clearly is a serious concern for the runaway increase in the number of lawyers, who must cope with the saturation of relevant labour markets. A recurring argument is that the lack of job openings in both the private and public sector, and in other legal professions, would induce many law graduates to engage in a career as a lawyer, which, as such, would be *a second choice* or even *the only possible choice*. This is the case of those who aspire to an “elite” profession such as judge or notary, but they are often doomed to seeing their expectations frustrated. And it is also the case of those who are not really interested in practicing law as a self-employed profession, but who aspire to a secure job, for example in banks or in public administrations.

Today, there is a different situation in the labour market: there are more or less a thousand “first-choice” job opportunities every year, in Italy (judge, notary etc.). [...] Hence, there are many people for whom the law profession is a second choice, also because public administrations are not hiring and the private sector is no longer a feasible option. At this point, the tens of thousands of law graduates are most likely to flow into the law profession, which is the easiest choice. [FG2]⁶

A few years ago, [...] one university student in four was enrolled in law. On paper, the Faculty of law opened many doors, [...] but if you aspire to become a judge with so few job opportunities... you hold the title, but the door is closed... and a notary, forget it! The economic dynamics, then, have affected all relevant markets for law graduates. [FG4]

Our profession has experienced an exponential growth, not related to the needs of the legal service market. [...] Perhaps, for many people it was an alternative to other careers, [...] because banks, insurance companies and public administrations no longer hire law graduates. [FG4]

In this regard, evocative expressions were frequently used, implying that the law profession is often seen as a mere alternative to unemployment or inactivity. Furthermore, these images are associated with a discourse on the *vocational crisis*, which - according to the participants in the focus groups - would affect the profession itself.

The law faculty, which has open enrollment, has become a “refuge for the damned”. Many don’t choose law as a vocation... they graduate and wait for a competitive exam. Meanwhile they complete their apprenticeship and, perhaps, they pass the exam... [FG2]

There is a feeling that the law profession is, today, a “refuge for the damned” for those who aspired to become judges or even bank clerks. [...] I think all of us have old friends that never wanted to become lawyers, whom we meet in court after many years. [FG4]

If we consider the number of registered lawyers, we see that in the last decade they have increased tenfold. The law profession has become a sort of “social shock absorber”. Job opportunities for law graduates have drastically diminished in recent years. [FG5]

On the other hand, a sense of vocation is seen as an essential prerequisite for practicing the law profession, especially in these negative circumstances.

Given the situation, you need real motivation to do a job like this... not only because you are a law graduate and banks are not hiring [FG7].

That said, the representatives of the forensic associations addressed the numerical and vocational problems above all in the context of a general issue of the decadence of the law profession.

⁶ Quotes from focus groups and interviews are translated from Italian and displayed, indented, without the use of quotation marks.

We all agree on the fact that this decadence is due to the number [of lawyers] and to rules that do not safeguard the function [of law]... This isn't a search for utopia, it is a matter of vocation. [FG1]

There is a different feeling, today, due to the circumstances. Those of us who are a little older have a different understanding of what collegueship and professional ethics are. This has deteriorated because of the numerical expansion, the lack of rules... [FG1]

If we are fighting over a bone with no more meat, it is a matter of ethics. [FG2]

In the following pages, we use data from the survey to evaluate the consistency of these arguments with the "actual" situation of lawyers in Florence.

Life choice or second best? Determinants of professional success - The first part of the questionnaire was aimed at outlining the different ways of entering the law profession. The starting point was a question about the career that the respondents had in mind for themselves at the time of enrolling at the university. Table 1 shows the results. Here, the finding is that only 54.8 percent of the respondents were aware from the very start of their university studies that they would become lawyers. Among others, 28.7 percent had different ambitions. In particular, 21.8 percent wanted to be judges or notaries. On the other hand, 16.5 percent had no idea what they wanted to do after graduating.

Table 1 - What career did you have in mind for yourself, when you enrolled at the university?

	Absolute value	Percentage
Lawyer	528	54.8
Judge or notary	210	21.8
Other (<i>corporate legal officer, public service or armed forces occupation</i>)	67	6.9
None	159	16.5
<i>Total</i>	<i>964</i>	<i>100.0</i>

This figure alone could be sufficient to answer the main research question. For almost half of the respondents, in fact, being a lawyer is not a "life choice". Quite the reverse, for many of them it seems to be a "second best": they probably decided to practice law as a reaction to the frustration of their initial expectations. Here, further questions arise regarding the variables that are likely to influence personal ambitions, and the relationship between career expectations - their fulfilment or frustration - and professional success.

To investigate the first issue, gender, age and social origins are assumed as independent variables (see Table 2). As regards gender differences, women seem to be less keen than men on engaging in a career as a lawyer (51.4 versus 58.1 percent) and more eager to become judges or notaries (26.3 versus 17.2 percent). Besides, young people show a lower interest than older ones in the law profession (51.7 percent of those under 35 years of age versus 64.6 percent of those 55 years of age or older); vice versa, the preferences for a career as a judge or a notary increase as the age of the respondents decreases (from 11.5 percent of those over 54 to 28.1 percent of those under 35).

To classify the respondents by social origins, a two-step cluster analysis was run using three input variables: parents' education; father's occupation; and mother's occupation. Moreover, a fixed number of three clusters was established, corresponding to *upper-class*, *middle-class* and *lower-class* origins⁷. These are characterised as follows: *upper-class origins* (20.9 percent of the total) - both parents with tertiary education, father lawyer, other

⁷The silhouette measure of cohesion and separation indicated that the cluster quality was fair (0.30). Education of the parents resulted as the most important predictor, showing a predictor importance score of 1.00.

professional or teacher, mother teacher; *middle-class origins* (41.4 percent) - a parent with tertiary education or both parents with upper secondary education, father staff employee, supervisor, manager or entrepreneur, mother not employed/housewife, teacher or staff employee; *lower-class origins* (37.8 percent) - no parent with tertiary or upper secondary education, father sales, craft or agricultural worker, office clerk or unskilled worker, mother not employed/housewife, sales worker or unskilled worker.

Table 2, again, assesses the relationship between lawyers' social origins, thus defined, and their initial career expectations. In particular, the analysis seems to indicate that social origins are *negatively* related to the interest in a career as a lawyer (from 59.6 percent of those of lower-class origins to 47.8 percent of those of upper-class origins) and *positively* related to the interest in a career as a judge or a notary (from 17.9 percent of those of lower-class origins to 27.4 percent of those of upper-class origins).

Table 2 - Career expectations by gender, age class, and social origins (percentage, total n = 964)

	Expected career				Total
	Lawyer	Judge or notary	Other	None	
<i>Gender</i>					
Man	58.1	17.2	7.5	17.2	100.0
Woman	51.4	26.3	6.4	15.9	100.0
<i>Age class</i>					
Less than 35 years	51.7	28.1	7.9	12.3	100.0
From 35 to 44 years	54.7	23.8	6.9	14.6	100.0
From 45 to 54 years	52.6	18.5	6.0	22.9	100.0
55 years and over	64.6	11.5	8.0	15.9	100.0
<i>Social origins</i>					
Upper class	47.8	27.4	8.5	16.4	100.0
Middle class	53.9	22.6	6.3	17.3	100.0
Lower class	59.6	17.9	6.9	15.7	100.0
<i>Total</i>	54.8	21.8	6.9	16.5	100.0

This suggests that social origins, as a variable influencing personal ambitions, operate in a different way from gender and age. In effect, women and young people, commonly identified as the weak social components of the profession, seem to be *relatively* less interested in a career as a lawyer and more attracted to a career as a judge or a notary. If we consider social origins, we find exactly the reverse situation: people of lower social origins seem to be *relatively* more eager to become lawyers and less keen on becoming judges or notaries. A further insight helps clarify that there is no relationship between the three independent variables and that their effects on career expectations must be studied separately. On the other hand, there is evidence that social origins have a stronger influence, since the extent and direction of its effect are quite the same in each gender and age group.

One possible explanation could be that, for people of lower-class origins, a career as a lawyer represents in itself a "project" of upward social mobility⁸, while those of upper-class origins, bred in educated families where a professional was often present⁹, are more attracted to an elite profession such as judge or notary.

Here comes the second question: does the fulfilment (*law as a vocation*) or frustration (*law as a way out*) of career expectations have an effect on professional success? And, furthermore, what is the role of social origins?

Professional success is not easy to define. In effect, income could be a good proxy, but it gives only a rough

8 In a study conducted a few years ago in the United States, Dinovitzer and Garth (2007) came to similar conclusions.

9 Of course, this is not true for those having at least one parent who is a lawyer. These are in fact most likely to follow in their parents' footsteps. Nevertheless, they represent only 10.7 percent of the sample.

picture of the status situation. We therefore decided to classify the respondents on a scale of socio-professional status. Again, a two-step cluster analysis was run using four input variables: formal status (i.e. proprietor, co-proprietor, partner of a law office or freelance associate¹⁰); presence or absence of freelance associates (only if the respondent is proprietor, co-proprietor or partner); income class¹¹; and frequency of the use of domestic workers¹². Again, a fixed number of three clusters was established, corresponding to *middle-to-high*, *lower-middle* and *low* status, depending on the degree of “stability” in the profession¹³. Here, the choice of labels was made due to the fact that the analysis seems to show a polarization of socio-professional situations, with an inclusive group of individuals who have achieved a stable position in the profession, in contrast to a large majority who are in an uncertain position. Among the latter, it was then possible to distinguish those who are in a vulnerable position from those who are in a sort of grey area and are thus affected by a latent vulnerability. That being stated, the groups are basically characterised as follows: *middle-to-high status* (29.1 percent) - proprietors, co-proprietors or partners, with freelance associates, an annual income of 25,000 euro or more, highly frequent use of domestic workers; *lower-middle status* (34.3 percent) - proprietors with no associates, or themselves associates, an income of 10,300 to 46,999 euro, frequent or sporadic use of domestic workers; *low status* (36.6 percent) - proprietors with no associates, or themselves associates, an income of less than 25,000 euro, no use of domestic workers.

Incidentally, it is to be noted that the independent component is present in each cluster. What really makes the difference is the presence of freelance associates, which characterises the middle-to-high status group. All the lawyers in this cluster are in fact proprietors, co-proprietors or partners of organized law offices. The remaining ones are mostly individual lawyers or associates. In this sense, the presence or absence of associates is a major indicator of polarization, with *the threshold of professional success* - understood in a broad sense as *the achievement of a full inclusion in the profession* - being between an annual income of 25,000 and 46,999 euro, and *the threshold of risk of exclusion* falling between 10,300 and 24,999 euro. In this regard, the non-use of domestic workers, which characterises the low status group, can be considered both as an indicator of low spending capacity - above all in function of an effective organization of time - and a deviation from lawyers’ standard way of living.

Table 3, below, assesses the relationship between expected career (now assumed as an independent variable) and socio-professional status. Here, the only finding is that those who wanted to become lawyers from the outset are more often than others in the middle-to-high status group (32.0 versus 26.6 percent of those who wanted to become judges or notaries), whereas those who had in mind other careers are more frequently in the low status group (41.9 percent versus 35.0 percent of those who had in mind a career as a lawyer).

Table 3 - Career expectations and socio-professional status (percentage, total n = 862)

Expected career	Socio-professional status			Total
	Middle-to-high	Lower-middle	Low	
Lawyer	32.0	33.0	35.0	100.0
Judge or notary	26.6	37.0	36.5	100.0
Other	19.4	38.7	41.9	100.0
None	27.3	33.1	39.6	100.0
<i>Total</i>	<i>29.1</i>	<i>34.3</i>	<i>36.5</i>	<i>100.0</i>

10 Please note that “associate” is a false friend in the English language. It refers to a lawyer who is working for another lawyer proprietor of a law office, but not sharing in the responsibility and liability for the acts of the law office itself. As such, this term refers specifically to “economically dependent” lawyers.

11 Data refer to taxable income, as reported on the income tax return.

12 This is intended to be a plausible indicator of *social status*, as it reveals something relevant about lifestyles, but also an indicator of the spending capacity in function of the organization of time, an aspect that is related to the capacity to achieve professional success.

13 Also in this case, the silhouette measure of cohesion and separation indicated that the cluster quality was fair (0.30). The presence of associates resulted as the most important predictor (with a score of 1.00), followed by the use of domestic workers (0.77).

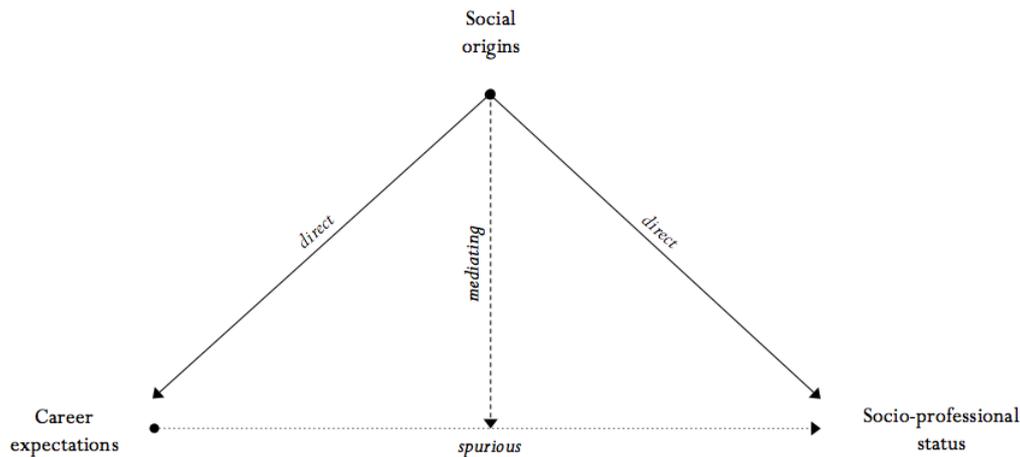
The analysis in Table 4, introducing social origins as a third variable, clarifies some points. First, people of upper-class origins are more likely than others to be in the middle-to-high status group, independently of their expected career; conversely, those of lower-class origins are more likely to be in the low status group. Second, those of upper-class origins also characterise the lower-middle status group, which seems to confirm the idea of an on-going process of socio-economic polarization within the profession.

Table 4 - Trivariate relationship between socio-professional status, career expectations and social origins (percentage, total n = 862)

Expected career	Social origins	Socio-professional status			Total
		Middle-to-high	Lower-middle	Low	
Lawyer	Upper class	34.9	42.2	22.9	100.0
	Middle class	31.8	38.5	29.7	100.0
	Lower class	30.9	23.6	45.5	100.0
	Total	32.0	33.0	35.0	100.0
Judge or notary	Upper class	40.8	36.7	22.4	100.0
	Middle class	20.7	42.7	36.6	100.0
	Lower class	23.0	29.5	47.5	100.0
	Total	26.6	37.0	36.5	100.0
Other	Upper class	23.5	47.1	29.4	100.0
	Middle class	13.6	40.9	45.5	100.0
	Lower class	21.7	30.4	47.8	100.0
	Total	19.4	38.7	41.9	100.0
None	Upper class	25.9	48.1	25.9	100.0
	Middle class	31.1	31.1	37.7	100.0
	Lower class	23.5	27.5	49.0	100.0
	Total	27.3	33.1	39.6	100.0
Total	Upper class	34.1	42.0	23.9	100.0
	Middle class	28.1	38.3	33.6	100.0
	Lower class	27.6	25.8	46.6	100.0
	Total	29.1	34.3	36.5	100.0

In conclusion, the relationship between lawyers' initial career expectations and their socio-professional status appears to be a *spurious* relationship. On the other hand, social origins seem to have a *direct* relationship with both variables, which suggests that they play a *mediating* role between them (see Figure 5). If practicing *law as a vocation* generally leads to a higher socio-professional status, this is truer for those of upper-class origins. On the whole, social origins still appear as a (strong) predictor of lawyers' professional success.

Figure 5 - Types of relationships between career expectations, social origins and socio-professional status



Understanding choices (and their consequences) - This part of the article takes a step back and focuses on individual choices concerning university and career, with the aim of identifying choice patterns and trying to understand the mechanisms that lie behind them. For this purpose, it takes a deeper look at the lawyers' biographies.

The analysis below relies on some postulates of a tempered methodological individualism. In particular, we assume that, according to the principle of "instrumental" rationality, individual actors use their means to reach certain goals and maximize satisfaction. On the other hand, this is always a "limited" rationality, which signifies that actors have incomplete information about their alternatives, knowing only in part or not knowing at all the related sequences of cause and effect, with an available time-period for making decisions that is often too short for evaluating possible consequences (Boudon, Fillieule 1969). What is more, human behaviour is not always driven by utilitarian criteria, but also implies the internalization of norms and values; in this sense, any action can be seen as "rational" if the actor has *good reasons* for doing it (Boudon 1992). In effect, individuals make their choices on the basis of their own preferences and on the information they have, though they act within a specific context which determines their available options and strategies. Again, they are "reflexive" actors, who have «the capacity to understand what they do while they do it» (Giddens 1984: xxii), but they are always «positioned or "situated" in time-space [...] and they are also positioned relationally» (ibid.: 83). Thus, human action can be understood only by considering at the same time its "intentional" component (*good reasons*) and binding/enabling aspects of the context (*structural constraints*).

From this perspective, individuals make their choices deliberately, though not being well-informed about all available options and the possible consequences of their actions. As such, they are always somehow influenced by the surrounding context. Those concerning university and career, however, should be regarded as "crucial" choices, which influence the life courses of individuals, but also affect their identities as well as their preferences. For this reason, they imply a higher emotional commitment, and therefore it is likely that individuals take more time to acquire information and make conscious decisions. Hence, the range and quality of information will be even more important in their making effective choices.

With all this understood, we propose to typify individual choices by looking at the presence (or absence) of a "project" and - following the classic example of Weber (1922) - concentrating on the means-goals relationship and the determinants of choices themselves. Specifically, four main patterns emerge from our analysis of interviews, which could be labelled as *vocational*, *instrumental*, *traditional* and *random* choices.

1. "Vocational choices". People belonging to this pattern had a solid long-term project, in which: the choice of profession normally preceded their university enrollment; all means were used for reaching the *goal* of becoming a lawyer; the outcome was coherent with initial career expectations.

This is specifically the case of six interviewees. Each of them declared that they always wanted to be lawyers, though with clear motivational differences in their choices. For some of them, in fact, being a lawyer was a value in itself: they believed that law, as a “liberal” profession, might be a means to self-fulfilment.

I always thought I would be a lawyer. [...] My course of study, then, was aimed at this goal. [...] I already knew that I wanted to do this, since my high school days. [06W32]

Law was my first choice. Since I was a child, I have always seen myself as a lawyer and I thought that I would be fulfilled in this profession. [11W31]

I was motivated to follow the ideal of a liberal profession and felt that I had a vocation for the law profession, also because of my character. [26W46]

For others, choices were more oriented toward universal values, such as justice, and were also associated with a “romantic” view of the law profession. Nevertheless, for young people it appears as an abstract view, strongly influenced by a somewhat stereotypical representation spread by the media.

I always wanted to be a lawyer. I think I was driven by the ideal of fighting against injustice, a romantic view of lawyers, which was influenced, when I was a child, by movies, television, and so on. I always liked law. [...] However, I made my choice long before university enrollment. [09M31]

My choice of law was made while in high school, as a consequence of an ideal view of this profession. I did not live close to people who practiced it, hence I formed my own idea of what the law profession would be like. And, as young people often do, [...] I idealized it. [10W31]

An older lawyer, instead, referred to personal experiences that left a mark on her life.

My choice of law was made many years ago. [...] It was because of my social commitment in high school... I got my secondary school diploma in 1969, hence I was able to take part in all the student struggles in the golden age of feminism. [20W62]

A slightly different pattern was followed by two other interviewees, for whom the vocation developed later, during their apprenticeship, as a slow growth of awareness.

They were the “Mani pulite” years and it was the vogue to study law. [...] I didn’t want to be a lawyer at all costs. [...] I looked around, but then I started my apprenticeship and I developed a passion for it. [01W41]

I approached the law profession after graduation. [...] I contacted an assistant of my thesis supervisor and applied to him for an apprenticeship. [...] Why did I choose to specialize in labour law then? It was for my own pleasure. [07M48]

What is noteworthy about these kinds of lawyers is that they all place great emphasis on having made their decisions with substantial autonomy. Being a lawyer was their own choice, sometimes even in conflict with the opinions of highly influential actors, such as their parents or school professors.

My parents were probably not so happy about it, they believed there were no job opportunities... [09M31]

My high school teachers suggested I enrol in medicine, which was seen as a higher level faculty [...] and, therefore, I took the entrance exam and passed it. Then, after two months, I decided to follow my dream and enrolled in law. [10W31]

Furthermore, they show an inclination towards independence and a traditional view of the law profession. Those in this group, in fact, are individual lawyers, proprietors or co-proprietors (not in partnership) of law offices. Among the younger ones, however, two are already practicing as individual lawyers, though they rely on office-sharing arrangements and maintain relationships of cooperation with their former employers in order to overcome the difficulties inherent in the early years of practice; the other two are still freelance associates, though they aspire to opening their own law office in the near future.

2. “Instrumental choices”. People in this group also had a project, but the outcome was inconsistent (or partly so) with their initial career expectations. In their cases, the choice of profession came later, often at the end of a difficult experience, and being a lawyer was above all a *means* for achieving certain goals, as a consequence of either a pragmatic choice or the frustration of personal ambitions.

Here, a distinction needs to be made. Some interviewees, in fact, decided to become lawyers to achieve *specific goals*, such as following the ideal of a liberal profession, being economically independent or earning more.

My choice was to enrol in law, initially not to become a lawyer, but [...] to engage in a career as a notary, though I soon abandoned this idea. [...] I considered all possible careers of a professional character. [...] I did not see myself as an employee, I was sure I wanted to capitalise on my education and work as a professional... not necessarily as a lawyer, but in any case not as an employee. [03M47]

I wanted to practice law as a profession. I was undecided between a career as a judge and a career as a lawyer. I rejected all other options. I was driven by both an ideal and a pragmatic motivation: the ideal one was to pursue a profession that I felt in line with my inclinations; the pragmatic one was to make a choice that would imply less uncertainty for the future, given that if you engage in an open competition for judge posts, you need to spend a long time studying and waiting for uncertain results. This means going through a more or less long period of “suspension” after graduation. In my case, I wanted to be economically independent. [21M44]

I had doubts about being a lawyer when I enrolled at the university. [...] While I was doing my apprenticeship in a civil law office, I also started doing a Ph.D. and then engaged in an academic career, which actually was not a planned decision. In any case, I was awarded a postdoctoral fellowship and then I was a research assistant and a contract professor. The choice to start practicing as a lawyer during my academic career was essentially due to economic reasons, because at first I earned very little. [...] I’ve had my own clients since I was 23-24 years old. For the past 11-12 years I’ve practiced law exclusively. [25W53]

Others, instead, pursued *generic goals*, such as avoiding unemployment or a long study period.

Why did I choose law? [...] I wanted to study political science, but I enrolled in law because it seemed that, at that time, it would offer more job opportunities. Then, I decided to be a lawyer, [...] because I was interested in administrative law and being a lawyer would allow me to continue dealing with it. [12W53]

I chose law because I wanted to be a judge. So I entered university with this idea, but when I came to the end - I completed my course of studies very quickly, in four years - I no longer felt like studying... Hence, I decided to become a lawyer. [22W34]

I was somehow induced to choose law, in the sense that I wanted to enrol in philosophy, which was my actual aspiration, but my father [...] advised me to choose law, because there were more job opportunities at that time. [23W41]

Again, however, the family seems to have had no direct (or a residual) role in influencing interviewees’ choices. What they have in common is that, for them, being a lawyer was a second choice. Moreover, they had less linear entry paths into the law profession and more heterogeneous careers. One interviewee’s story particularly exemplifies the difficult life course of an aspiring judge, who also tried a career as a lawyer as a way to guard against uncertainty.

Actually, my goal was not to be a lawyer, but a judge. So, I graduated and enrolled in a preparatory course for aspiring judges, held in Rome. [...] Meanwhile, I started my legal apprenticeship in a civil and tax law office [...], but I managed to have time to carry on my studies. [...] I also enrolled in post-graduate law school¹⁴. I then passed the exam and received a post-graduate degree. [...]

I took my first bar exam in 2003, but I didn't pass it. Nevertheless, I continued to study. [...] In 2004, I took my second exam, but failed it again. I was demoralized and, therefore, I tried two open competitions for correctional educators. [...] In 2005, I took my third exam. I passed the written exam and I started preparing for the oral exam. In the meantime, an open competition for judge posts was announced. [...]

In 2006, I passed the exam with the compliments of the commissioners, who were perplexed by my tortuous life path. In effect, I had graduated with honours and I am knowledgeable and experienced. [...] At the previous written exams, I helped other candidates, [...] then they passed, while I failed. And this was frustrating. [...]

I've wanted to be a judge ever since my school days... This was because my best friend's mother was a judge and I saw her as a personality. I still think about it, whenever I enter a courtroom... [05W40]

Also in this case, the individualist model is dominant, though it seems to be an arrival point - at the end of a more or less long road - rather than a starting point. The choice of practicing as individual lawyers, anyway, was perceived as "a leap into the unknown", which prompted them to maintain informal relationships of cooperation with former employers or colleagues and to adopt cost-sharing strategies, even into advanced age.

3. "Traditional choices". These are choices driven by an imperative to continue a *family tradition*. People in this group, in fact, had at least one parent or a close relative who was a lawyer. The project, therefore, was somehow predetermined and, as a consequence, the decision to enrol in law and engage in a career as a lawyer was perceived as a "natural" fact. Nevertheless, in three cases out of four, choices seemed to be aimed at taking advantage of this situation rather than following a real vocation.

I enrolled in law not to become a lawyer, but because I was interested in law in itself. [...] I thought it was more likely that I would be a journalist, but there was my family, my father's law office, and therefore it was quite natural for me to become a lawyer. It was a typical pathway, [...] a facilitated one. I wasn't pushed to be a lawyer, also because my father had retired. [...] In any case, this helped me. [13M47]

It's a family profession, both my parents are lawyers. So, it was quite a natural thing for me... [15M47]

When I finished school, I wasn't sure of what I wanted to do. I was undecided between law and architecture, but my father is a lawyer and, therefore, I chose law... a question of job opportunities. [16M38]

There are lawyers in my family, and they inspired me. I knew the ins and outs of this profession, because I've always had it in front of me, in my family. And I got curious. [19M39]

Two interviewees, in particular, completed their legal apprenticeship at their fathers' law offices, and one of them continued to work there, though driven by a basically opportunistic reason.

I started doing my apprenticeship at my father's law office. [...] I've worked there since about ten years ago. [...] I cooperated with a young colleague, [...] who asked me to follow him when he left the office, but I decided to stay. Why? For economic reasons. The advantage of working with my father is that I don't pay rent, which is quite something. [16M38]

All of them identified themselves as independent lawyers, though - compared to others - they showed a stronger inclination to cooperate with other people, either in an informal manner or in formalized partnerships.

4. "Random choices". A number of cases are characterised by the absence of a recognisable project. Here, the interviewees themselves defined their choices as "random", though it is more correct to say that they have been driven by emotional reasons, such as avoiding certain courses of study, trying a new one or even distinguishing oneself from others.

¹⁴ Orig. lang. "Scuola di specializzazione per le professioni legali".

My choice of a university was random. I graduated from high school and then decided by elimination to enrol in law. [08M48]

After high school all my friends enrolled in engineering. At that point, I decided to do something different and enrolled in law. [18M45]

My choice to enrol in law was due to the fact that I was a diligent student... I had never studied law in high school and I thought that I would like it. This was my real motivation [...]: a new subject I thought that I would like to study. [24W45]

Lack of information, in this case, seems to be a common denominator, which was sometimes associated with lower-class origins.

My choice of the law faculty was random, [...] I didn't know exactly what law was. [...] My parents always left me free to decide, [...] hence the choice was mine. [02W46]

My parents have a primary school education. I was the first university graduate in my family. [08M48]

No clear relationship, instead, can be identified between this specific choice pattern and the different models of professionalism, which - because of the absence of a project and of family traditions as drivers of choice - is more likely to be influenced by several intervening factors.

To sum up, our analysis showed that lawyers approach their profession following various choice patterns, which in turn are reflected in different views of the profession itself and different ways of practicing it. Furthermore, some concluding remarks can be drawn. First, *choices supported by "coherent" projects seem to be related to more fluid careers and more optimistic views of the future*, while a non-fulfilment or absence of projects is often associated with perceived uncertainty, even at an advanced career stage. Second, traditional and random choice patterns offer extreme examples of the role played by social origins in influencing career paths. Here, *what seems to make a difference is access to information* concerning job opportunities as well as professional contents and career dynamics. Finally, according to the survey results, it is likely that social origins and the related differential access to information - which could also be conceptualised in terms of cultural and social capital (Bourdieu 1980; 1986) - have a diversifying effect on career paths also *within* the groups based on different choice patterns.

Conclusions: on the law profession as a social structure

Many years ago, Parsons (1939: 463) stressed «the importance of the professions as a peculiar social structure within the wider society», which as such is distinct from business, not just because they are based on different individual motives, but because they are governed by a radically different institutional pattern. The distinction between altruistic and egoistic motives, he said, is thus a «false dichotomy» (ibid.: 467). More recently, as already noted, Brint has described the rise of a new model of professionalism, more market- and profit-oriented, involving an increasing overlap between professions and business. In effect, the market has grown in importance as a principle of regulation in the professional field. As regards Italian lawyers, for instance, their great expansion has brought about increased competition, based on low prices rather than on service quality. As a result, they are even more influenced by (and dependent on) clients' preferences and choices. What is more, their action seems to be inspired by a goal-oriented rather than a value-oriented rationality.

As this article intended to prove, *family* is a fourth (hidden) agent of regulation, other than *state*, *professional community* and *market*, which is likely to give a competitive advantage in the continuing struggle for profit (and, in some cases, for existence). After all, this is not so new. In fact, the importance of social origins for lawyers in the early stages of their careers, when they need to acquire clients, was already highlighted by Prandstraller (1967), in the 1960's. Nevertheless, the added value of this contribution is that it gives empirical evidence that: the pattern

of *law as a vocation* is declining, involving slightly more than one out of two lawyers; a stronger motivation often translates into a higher socio-professional status; this relationship is mediated by social origins; social origins have a direct (and strong) relationship with professional success. Our analysis of the interviews has therefore shown that: different entry paths to the law profession can be identified and understood in light of a variety of choice patterns concerning university and career; choice patterns, in turn, are likely to be influenced by a differential access to information; moreover, they are linked to different ways of practicing the law profession.

The community of Italian lawyers is facing profound changes in its economic and social structure, associated with a vocational crisis. This will have considerable implications in the near future. If market regulation prevails, in the absence of effective (and objective) selection mechanisms of lawyer candidates - from university to apprenticeship and professional examination - social origins will probably continue to make the difference between success and failure. A consequence could be a “perverse” selection, with people with comparatively low motivation reaching higher positions, and vice versa. Another unintended effect could be a growth of the area of marginality. On the other hand, State regulation, when imposing restrictions on the practice of the profession on the basis of economic principles - e.g. compulsory registration with social security - runs the risk of being a mere means of social exclusion. In general, greater commitment in the promotion of a professional culture is required. This should be pursued at the level of the professional community as a whole, as well as in the everyday life of each law office, since this is the common ground where tens of thousands of apprentices and young lawyers develop their professional identities. In this sense, for example, it is important for law apprenticeship not to become itself a mechanism of perverse selection or even an “anteroom” prior to the market test.

By way of conclusion, then, we may affirm that if we wish to understand a macro-phenomenon - such as the expansion and stratification of a profession - we cannot exempt ourselves from examining it in its interaction with the micro-processes - individual choices - on which it is founded. Similarly, macro and micro regulation should be considered in their mutual influence.

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Annexes

Annex 1 - List and basic features of the focus groups with the representatives of local forensic associations

Code	Target group	Associations involved	Number of participants by gender		
			Men	Women	Total
FG1	Generalist associations	3	8	4	12
FG2	Administrative and tax law	3	8	2	10
FG3	Civil and labour law	2	4	3	7
FG4	Young lawyers	1	3	1	4
FG5	Criminal law	1	5	2	7
FG6	Family and child law	4	1	6	7
FG7	Territorial associations	2	4	1	5
<i>Total</i>		16	33	19	52

Annex 2 - List of the biographical interviews with selected lawyers and main characteristics of the interviewees

Code	Gender	Age	Main field(s) of activity
01W41	Woman	41	Criminal law
02W46	Woman	46	Family law
03M47	Man	47	Administrative law
04M38	Man	38	Criminal law
05W40	Woman	40	Criminal law
06W32	Woman	32	Civil law
07M48	Man	48	Labour law
08M48	Man	48	Civil law
09M31	Man	31	Criminal law
10W31	Woman	31	Administrative law
11W31	Woman	31	Administrative law
12W53	Woman	53	Administrative law
13M47	Man	47	Civil and labour law
14W62	Woman	62	Family law
15M47	Man	47	Labour law
16M38	Man	38	Criminal law
17M62	Man	62	Administrative and labour law
18M45	Man	45	Administrative law
19M39	Man	39	Criminal law
20W62	Woman	62	Family law
21M44	Man	44	Administrative law
22W34	Woman	34	Civil law and arbitration
23W41	Woman	41	Family law
24W45	Woman	45	Criminal and family law
25W53	Woman	53	Civil, administrative and international law
26W47	Woman	47	Civil law

Note: the 5-digit code in first column includes the interview number (first two digits), a letter indicating gender, and another number indicating age (last two digits).