Review

The Conceptual Model of Role Stress and Job Burnout in Judges: The Moderating Role of Career Calling

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Abstract: Judges are the central actors in the organization and functioning of the judicial system. Concerns about work efficiency, driven by the European Commission for the Efficiency of Justice, led countries to adopt a set of reforms in line with private sector ideals applied to the public field to better manage their financial and human resources. In the last decades, the Portuguese judicial system has undergone a reform based on New Public Management principles by adopting the new Law on the Organization of the Judiciary System (LOSJ), significantly altering judges' duties, who beyond their traditional role of applying the law, perform the additional role of court-of-law judge-manager. The objective of this study is to explore the influence of role conflict and role ambiguity in occupational burnout among judges and to analyze the influence of calling orientation as a moderating variable, so as to present a conceptual model of role-stress management among the judiciary. Theoretically, this work contributes to the literature on role-stress management through its introduction of calling moderation, as well as to the literature on the positive influence of calling on burnout. In terms of its practical implications, the work contributes to a reconsideration of the current organizational structure of judicial work.

Keywords: judges; calling orientation; role conflict; role ambiguity; burnout; judicial system

1. Introduction

Courts, as any other organization, operate in social contexts. Despite being institutionally legitimized and constitutionally independent organizations, the judiciary is not immune to social perceptions, international rankings, criticisms, and recommendations (Guimarães et al. 2020). Faced with deeply institutionalized organizations, uncertainties between the organizational structures and the efficiency of the institution can generate conflicts at various levels. The uncertainties and incompatibilities caused by a deep institutionalization are a source of tensions, conflicts, and ambiguities within institutions (Garcia 2015).

The European Commission for the Efficiency of Justice (CEPEJ) was created to monitor and establish European rankings. Comprised of specialists, it is the only body at the European level that assesses the efficiency and qualities of the justice sector (Correia and Videira 2016). The publication of evaluation reports of European judicial systems has been a common practice since 2006, with 28 studies already published. The most recent assessment was published in the 2020 Efficiency and Quality of Justice in Europe report, referring to 2018 data. In the latest assessment, Portugal is slightly below the European medians: 1.98 pending cases per 100 inhabitants, in a European median of 1 pending case per 100 inhabitants; a resolution rate corresponding to 109.2%, in a European median of 100.7%; and the precise time to finish all pending cases (disposition time) is 229 days, in

a European median of 194 days (CEPEJ 2021). Thus, the use of statistics can work as an ally (Pereira and Correia 2021). As Romão and Correia stated: "statistics are not only a public good, but furthermore they present themselves as a central tool for planning and monitoring justice policies" (Romão and Correia 2021, p. 2).

These assessments prove that the functioning of the courts is heterogeneous (CEPEJ 2020). Even with similar structures, there are several factors that dictate the good or bad functioning of the judicial system. The literature on court inefficiencies has focused on the problems felt, from the institutional habitat (Staszak 2018) and autonomy (Zoettl 2018), perception of social justice (Cardoso and Breda-Vázquez 2007; Abril et al. 2020), political context (Stoleroff 2016), legal content (Hanretty 2012), maturity of institutions (Ginsburg and Garoupa 2009), solidity of the rule of law (Bi 2017; Staszak 2018), the dynamic between courts and society (Zoettl 2016; Basto-Pereira et al. 2018), interdependence between judicial governance and legitimacy (Guimarães et al. 2020), and budget allocated to the courts and the relationship between the judicial workforce and workload (Gomes et al. 2016).

The psychological pressures and resignations of inside-system legal professionals have become a concern (Bi 2017). Judges are the central actors in the organization and functioning of the judicial system. The most recent figures from the Portuguese justice department indicate that there were 2012 judicial magistrates and 1419 public prosecution magistrates (Directorate-General for Justice Policy 2021). It is in this professional group that citizens place a "reservoir of loyalty" (Brody 2008) for the resolution of their conflicts (Silva et al. 2019). The judiciary is socially legitimated through the autonomy and independence of the judges. Entry into and promotion during the judicial career involves several factors, including specialized training, rotativity, and performance evaluation (Grajzl and Silwal 2020).

The objective of the current study is to explore the influence of role conflict and role ambiguity in relation to occupational burnout among judges and public prosecution magistrates, and to analyze the influence of calling orientation as a moderating variable, so as to develop a conceptual model of role-stress management among the judiciary.

The roles that each of these actors assumes are well defined in national and international studies and reports. As defined by Tsai and Chan, "Judges and procurators are legal officers authorized by the state to promote and uphold justice. To this end, judges and procurators are entrusted with the task of extracting the truth from conflicting sources of information and cross-examining suspects as well as plaintiffs and defendants each day" (Tsai and Chan 2009, p. 133). The judge is the central individual who has the high responsibility of rendering or taking part in a judicial decision in a case, assuming the role of administering justice on behalf of the people (Pastor et al. 2014). In the European context, the judge is defined as the person who renders decisions according to the law, in an organized process, on any matter within his competence. On the other hand, public prosecutors, representatives of the State, also called prosecutors, are public authorities that, in the public interest, must ensure the application of the law (CEPEJ 2020). Judges and public prosecutors are supported by justice officials, responsible for administrative and management tasks of the courts, contributing to an efficient functioning in the organization (Gomes et al. 2016a, 2016). In 2020, the Portuguese judicial system consisted of 7547 Justice Officials (Directorate-General for Justice Policy 2021).

The judges' role has undergone changes, with the role of manager entering into the scenario of a classic and formerly unique role to apply the law (Guimarães et al. 2017). Concerns about work efficiency, driven by CEPEJ, led countries to adopt a set of reforms in line with the principles of New Public Management, in order to better manage their resources, both financial and human. It is in this sense that more and more magistrates have included administrative and court management tasks in their role.

In this sense, Portugal embraced a set of reforms that changed the judicial organization (Guimarães et al. 2017) by adopting the new Law on the Organization of the Judiciary System (LOSJ) (Assembleia da República Portuguesa 2013). This reform focused on improving the functioning of the judicial system, aiming to provide quality justice and a more flexible judicial response that is closer to the citizen, in line with CEPEJ guidelines. LOSJ determines that the management of each court is guaranteed in a tripartite model, in a management structure composed of the president of the court, centered on the figure of the presiding judge, the coordinating magistrate of the Public Ministry Public Prosecutor's Office, and the judicial administrator, whose powers are set out in the articles 62, 101, and 106, namely. This gives rise to conflicts in the form in which judges understand their work and ambiguities resulting from a lack of communication between judges and the coordinating magistrate of the Public Ministry. This concern is reflected in a technical report about the recent transformation of the judicial system in Portugal prepared by the Organization for Economic Cooperation and Development (OECD 2020). The report focused on implications on judicial capacity and performance with regard to the work of judges, as their responsibility for both judgment and administrative tasks contributes to unresolved issues in the system. For this reason, the report recommended that human resources be reinforced to support judges in carrying out their duties.

European concerns were emerging regarding the relationship between the two actors, and the definition of their roles. CEPEJ draws attention to the fact that in some European Union States, justice officials perform functions similar to those of prosecutors. Likewise, specific clarifications are often not provided on the difference in tasks between public prosecutors and judges, which makes a deeper analysis of efficiency by CEPEJ difficult (2018). On the other hand, a technical report prepared by the Organization for Economic Cooperation and Development (OECD 2020) on the transformation of Portuguese justice, focuses on the implications for judicial capacity and performance with regard to the work of judges, underlining that they, being responsible for law enforcement tasks and administrative tasks, contribute to backlogs in the system. Additionally, in the Portuguese context, studies are published by the Francisco Manuel dos Santos Foundation on the role of these actors, namely, Judges in Europe (Ligüerre 2014) and The Public Ministry in Europe (Pastor et al. 2014), in which the functions and profile of the judges, and the relationship between the Public Ministry and the judiciary, demonstrate the continuous interaction between them.

Aligned with European concerns, Guimarães et al. (2017) carried out a study on the stress of roles for judges, obtaining a typology of conflicts and ambiguities felt by this category of professionals, with regard to incompatibilities and uncertainties in the courts. Additionally, Silva and his collaborators (2019) in a qualitative study on the meaning of work in the judiciary point out the workload in the courts.

Role conflict and role ambiguity are the dimensions most widely considered as consequences of professional role stress, in which an individual faces pressure at work due to not understanding which tasks should be prioritized and how to carry out the roles attributed to him or her in an organization in accordance with expectations (Wu et al. 2019). Poor management of role stress can lead to negative impacts on work and individuals, such as burnout (Ebbers and Wijnberg 2017; Huang et al. 2020).

However, work is considered a subjective experience, as it does not mean the same thing to everyone, and various factors influence the way in which each individual deals with and manages the phenomena arising in his or her profession (Pitacho et al. 2020). In the literature, work orientation has been conceptualized in a tripartite job, career, and calling model of the relations developed by individuals to their work (Wrzesniewski et al. 1997). A recent study (Pitacho et al. 2019) even suggests the possibility of mixed profiles beyond the pure work-orientation profiles, namely the "career-calling" and "career-job" profiles. Within this range of possibilities, the calling orientation is conceptualized as the most intense of the work orientations (Dik and Shimizu 2018), with affective, emotional,

spiritual, and identity facets existing in the relationship between an individual and a particular type of work (Rosa et al. 2019).

The meaning attributed by judges to their work reflects the perception of their role as one of great importance and social value, with a decisive impact on citizens' lives. Using a religious metaphor, a career in the judiciary is described as a vocation in which there is the sense of following a divine call. However, the judges' current role goes beyond resolving social problems, with the responsibility to attend to society's expectations and implement social justice. Another more recent function involves the figure of judge-manager, who seeks solutions to the justice system's administrative problems (Gomes et al. 2016a, 2016), giving rise to role conflicts and role ambiguities (Guimarães et al. 2017), which could possibly be moderated by the calling orientation (Creed et al. 2020) described by judges.

Studying the effects of role stress on burnout and the moderating effect of calling orientation becomes relevant as much for its theoretical as for its practical implications. In the theoretical realm, it contributes to the literature on role-stress management through its introduction of calling moderation, as well as to the literature on the influence of calling on occupational burnout, which are both applicable to the public sector. Furthermore, it seeks to expand the theory of role stress, considering that in an institutional structure with actors in continuous interaction, role conflicts and ambiguities in one group of professionals consequently affect the roles of another group of professionals. Additionally, relating the stress constructs of roles, psychosocial consequences, and calling, in a public organizational context, with its own specificities, entails valuable learning for individuals and institutions. Regarding practical implications, it is judges themselves who best know the organization and functioning of the judicial system, with all its particularities, so the study of this professional group represents the first step in rethinking the human resources practices and policies implemented in the courts, namely, concerning the new multifaceted role attributed to judges during the last decade, and thus contemplating the possible need for a new legal-assistant career in the judicial system tasked with supporting the administrative work associated with the judicial process.

The study is structured as follows: First, the theoretical framework is presented, addressing the literature on institutional theory, role stress with respect to role conflicts and ambiguities, and subsequently focusing particularly on the Portuguese judiciary. The literature relating role stress and occupational burnout, as well as that on the calling work orientation, is also considered. This is followed by a legal framework on the Organization of the Judiciary System Law. The research hypotheses are then developed, and the proposed conceptual model is presented as a result. Last, some final considerations are outlined, with a focus on the study's theoretical and practical contributions.

2. Theoretical Framework

2.1. Institutional Theory

Institutional theory until the beginning of the 21st century was studied through different strands, from Weberian rationalization studies to comparative studies of institutions. This theory has become increasingly dominant and institutionalized as a legitimizing structure for organizations (Alvesson and Spicer 2019).

Institutional theory or institutionalism finds its origins in the 19th century and in the conception of a group of classical thinkers in the social sciences who considered the observation of institutions a fundamental exercise for development (Ostrom 1990, 2011). Comprising several axes, depending on the sphere of knowledge in question (whether economics, sociology, organizational theory, or political science, among others), different conceptions of institutionalism observe the same reality with different analytical orientations. In a myriad of definitions, generically, the concepts of institution and institution process lean towards a firm construction in the interaction and establishment of interpretations, communications, and standards classified through a set of rules, values, and routines (Ferreira et al. 2001).

Engaging in the study of this theory, we find two recurring concepts: social structures and institutions. A social structure is defined as the patterns of interaction between two or more elements. For their part, we can define institutions as forms of social structures, created through self-stimulated processes, with established social rules. For Ostrom (2007), institutions are the rules, norms, and strategies that guide the various individuals in societies. The definitions of institution are different, varying according to the authors (Cardinale 2018); however, in all definitions the idea of social structure is present. This is where the study of institutionalism is based: on social structures (Garcia 2015).

Institutional theory has three major currents: historical institutionalism, rational choice theory, and sociological institutionalism, which together form the so-called new institutionalism or neo-institutionalism (Garcia 2015). This is currently one of the most prominent schools of thought in organizational studies. The theory of the new institutionalism offers a set of contributions with regard to the link between the individual organizational sphere and the social environment (Alvesson and Spicer 2019).

In the scientific field of human resources management, a scientific area allied to law, institutional theory has been explored around five major themes that are worth mentioning (Lewis et al. 2019): (i) restrictions on resource-management-practices human resources; that is, the institutional environment limits the management of human resources, and normative, mimetic, and coercive forces promote isomorphism in the management of human resources that share similar social structures; (ii) institutionalization of human resources management practices; that is, practices become an acquired and unquestionable fact; (iii) transnational differences in human resource management practices, as each country has its own specificities, with different organizational environments; consequently, human resource management practices differ from country to country; (iv) strategic use of human resources management to gain legitimacy; and finally (v) use of human resources management as a diffusion mechanism; that is, human resources management structures serve as a mechanism for normative, mimetic, and coercive isomorphism.

2.2. Role Stress: Role Conflicts and Role Ambiguities

Organizations are composed of a standardized set of behaviors formalizing a system of roles in a given organization. This role system, defined by rules and conduct, differentiates positions in a social structure. The term role can be analyzed at the psychological level and at the behavioral/organizational level. The first (the psychological level) concerns the pattern of behavior expected of the individual who occupies a certain position. The behavioral or organizational level considers what is expected of a certain position. Here, the concept of role does not belong to a particular person, being indifferent to the characteristics of each one. What matters is the position occupied in a social construction, which produces expectations under a certain position. This provides a more beneficial social interaction for the actors, allowing a certain prediction of the behavior of others in the organization (Ferreira et al. 2001).

In organizations with pluralistic leadership structures, where the limits of roles are not clearly defined between the organization's leaders and other members, role conflict and consequently role stress may arise (Ebbers and Wijnberg 2017). Role stress is a factor requiring reflection in organizations, as the output of individuals may be compromised when they perform more than one specific function, and therefore the organization may be negatively impacted due to poor role-stress management. Role stress in organizations manifests itself in two ways: role conflict and role ambiguity (Huang et al. 2020).

Role conflict is defined in the literature as incompatibility or inconsistency of functions in the roles assumed by an individual (Ebbers and Wijnberg 2017; Çelik 2013). It is also defined as a type of stress resulting from a conflicting or competing expectation on the part of managers with respect to a particular position or function in the organization. Prioritization conflicts also become apparent when there are double responsibilities (Tarrant and Sabo 2010). Role ambiguity is defined as uncertainty about the tasks and responsibilities involved when there are multiple roles to play (Ebbers and Wijnberg 2017). It thus occurs

when an individual is not provided with the information necessary to correctly perform the functions required in a given position (Tarrant and Sabo 2010). Ambiguities arise due to a lack of communication on the part of the organization, meaning that the situation may be more easily clarified than in the case of role conflicts (Guimarães et al. 2017). For example, a study by Tarrant and Sabo (2010) on the health sector, which in the 1990s was the subject of management reforms focusing on cost and resource control and profit seeking, found that head nurses had experienced profound changes to their duties and responsibilities, which in turn led them to experience role-stress symptoms. In addition to the more traditional patient-care duties associated with the role of nurse, head nurses were also assigned a supervisory role and board-level responsibilities involving participation in budgetary decisions and strategic planning, policy development and implementation, program creation, financial-goal achievement, and project participation. This change required skilled management of new knowledge acquisition and existing knowledge development. Conflicts and ambiguities between traditional nursing duties and administrative functions resulted in role-stress symptoms.

2.3. Role Conflicts and Ambiguities among the Judiciary

Over the past three decades, the judiciary has experienced a complex phenomenon occurring in the judicial system (Mak 2008; Silva et al. 2019; Grajzl and Silwal 2020) that has its origins in reforms based on the "new public management" paradigm (Mak 2008), in which the role of the judge has changed (Viapiana 2018). In addition to playing the traditional, purely judicial, role of law enforcement, the judge is now also tasked with the role of court manager, a role that is coupled with new administrative activities. A multiple specialization has been introduced into the judge's life and profession: in addition to the specialization already inherent in the function of applying the law, judges now also assume the role of court-of-law judge-manager. This multiplicity of roles (Dias 2017) is the source of conflicts and ambiguities in the realization of the judiciary's work (Gomes et al. 2016a).

A recent study applied to Portuguese judges (Guimarães et al. 2017) described a typology of conflicts and ambiguities perceived by this professional group. Four incompatibilities were identified regarding the perceived conflicts (Ebbers and Wijnberg 2017), namely, (1) incompatibility between judicial activities and the administrative activities inherent in the new judge-manager role; (2) incompatibility between workload and workforce, due to the small number of justice officials in service; (3) incompatibility between the focus on productivity and the quality required of judicial work; and (4) incompatibility between the salary and the responsibility associated with judicial work. Ambiguities were evident in the form of four uncertainties (Ebbers and Wijnberg 2017), namely, (1) uncertainty regarding the hierarchical relationship between judges and justice officials, since the latter answer to the justice ministry; (2) uncertainty regarding judges' role in court planning, as the judge-manager role involves planning and management functions that are, however, not clearly defined, thereby indicating an unclear planning scenario; (3) uncertainty regarding criteria for distributing cases between judges, thereby giving rise to an imbalance in workloads; and (4) uncertainty regarding criteria for the evaluation of the judges' performance, which fail to consider all activities associated with the different roles, thereby leading to confusion in the prioritization of activities.

In their investigation into the meaning of work for judges, Silva et al. (2019) warn of judges' concerns regarding excessive court workloads. The authors emphasize that the combined demands of judicial work and the administrative tasks of the judge-manager may lead to excessive workloads, professional frustration, and lack of motivation.

2.4. Role Stress and Occupational Burnout

Distinguishing between stress and burnout is an arduous task, as burnout is a multifaceted notion (Çelik 2013). Burnout can be defined as a prolonged response to chronic emotional and interpersonal stress arising during work (Lian et al. 2021). Wu et al. (2019) define burnout by relating it to the negative feelings experienced by individuals in their

work environment. Maslach and Leiter (2008) analyze burnout by means of a model that places the experience of individual tension within the social context of the workplace. Their three-dimensional model comprises an emotional exhaustion dimension, concerning the tension felt by the individual in the form of feelings of individual overload and exhaustion of both emotional and physical resources; a cynicism/depersonalization dimension, concerning the interpersonal context of burnout, in which a response that is negative, insensitive, and distant from the various work components is evident; and a professional ineffectiveness dimension, concerning feelings of incompetence and lack of achievement and productivity, thereby representing the self-evaluation aspect of burnout.

Role conflict and role ambiguity are types of stress that affect performance and can lead to occupational burnout (Çelik 2013). Consequently, individuals who deal with role conflict and role ambiguities may experience the above-mentioned dimensions of emotional exhaustion, depersonalization, and diminished personal success (Karatepe and Uludag 2008).

Various studies have already related burnout with distinct professions in which role conflicts and overload of duties are evident. In the case of head nurses, there is a fine line between nursing responsibilities and those of organizational management; in terms of task prioritization, role conflict and ambiguity between these double responsibilities has been found to exist at a still moderate and manageable level. However, high levels of stress in performing duties are linked in the long-term to negative consequences such as depression, and it is therefore essential that an individual dominates stress and manages it well; as long as it is not overwhelming, stress can even facilitate the development of required skills (Tarrant and Sabo 2010).

One of the current challenges is the psychological environment at work and the consequent psychosocial risks, recognized worldwide as a public health concern (Rosário et al. 2017). Psychosocial factors are defined as particularities associated with the conditions and organization of work that, through psychological and/or physiological actions, harm the health of individuals. Some examples of psychosocial risks are: workload, mental and physical work overload, monotony, lack of empowerment, burnout, moral harassment, violence, insecurity, and stress. These risks have a set of consequences: work accidents, absenteeism, anxiety, depression, stress, cardiovascular diseases, bad social environment at work, and decreased productivity and quality of work, among others.

One of the psychosocial risks is administrative overload/labor demands. According to Kristensen et al. (2005), labor requirements can be subdivided into a set of variables: (i) quantitative requirements; (ii) work rhythm; (iii) cognitive requirements; (iv) emotional demands; and (v) demands to hide emotions. The increase in labor demands brought about in recent decades have had negative effects on individuals and consequently on organizations (Rosário et al. 2017).

The combination of administrative overload, psychosocial consequences, and role stress has remained present in academia, drawing attention to the need to manage these constructs and find ways to devise solutions in an increasingly fast-paced and impatient world (Orgambídez-Ramos et al. 2017; Wu et al. 2019; Huang et al. 2020).

Other professional categories have also been the focus of studies relating role stress and burnout. Examples include early-career university professors (Lian et al. 2021), secondary school vice-principals (Çelik 2013), construction project managers (Wu et al. 2019), physicians (Creed et al. 2014; Zhang et al. 2020), police officers (Zhou et al. 2020), and bankers (Raza et al. 2017).

In the judicial system, Bi (2017) carried out an investigation that analyzed job burnout of inside-system legal professionals under the rule-of-law reform and its possible causes. To this end, he formulated six hypotheses, namely: "H1: The more elements of non-rule-of-law exist in practice, the less job burnout there is among inside-system legal professionals; H2: The stronger the ideal of rule of law among inside-system legal professionals, the lower the level of job burnout; H3: In the face of the practice of non-rule-of-law in daily work, the higher the ideal level of rule of law legal professionals have, the stronger the degree of job

burnout; H4: Lack of confidence in the prospect of the construction of rule of law is related to a higher level of job burnout; H5: If the inside-system legal professionals have strong confidence in the prospect of the construction of the rule of law, but meanwhile there are many situations of non-rule-of-law in their daily work, their job burnout will be stronger; and finally: H6: Those subjects with weak ideals of the rule of law but strong confidence in the prospect for construction of the rule of law have lower levels of job burnout" (Bi 2017, pp. 588–90).

2.5. The Calling Work Orientation

The course of most people's lives is shaped primarily by their work (Wrzesniewski et al. 1997). Work, as a subjective experience, does not mean the same for all individuals, and choosing a profession is not a linear process, as choices may be influenced by various factors, such as the economic rewards, the level of personal satisfaction, and the intrinsic individual and social meaning associated with a certain profession (Pitacho et al. 2020). A landmark book in this discussion is Habits of the Heart (Bellah et al. 1985), in which work orientation is conceptualized by means of a tripartite job-, career-, and calling-orientation model of the relationships with individuals as they develop with their professions. Several years later, in their quantitative study, Wrzesniewski et al. (1997) called for further development of this model, believing it essential to expand on the way individuals differ in the subjective experiences of their professions. Based on the tripartite model of Bellah et al. (1985), they demonstrated that allocating oneself in one of the three orientations is a simple task for most people, as the particularities of each orientation guide individuals in their life purposes and provide them with meaning.

Job-oriented individuals are mostly concerned with monetary rewards, career-oriented individuals have progression and professional success as their central concern, while calling-oriented individuals focus on personal realization and the social importance of their work (Dik and Shimizu 2018). Complementing this tripartite profile model, a recent study (Pitacho et al. 2019) considers work-orientation profiles that combine the three dimensions; that is, in addition to the pure job, career, and calling profiles, the authors discuss the possible existence of mixed profiles, namely, "career-calling" and "career-job" profiles.

However, among the three pure profiles and the possible mixed profiles, the calling orientation is considered in the academic literature as having particular cultural importance (Duffy and Dik 2013). Aside from the tripartite model mentioned above, the idea of work as a calling is one of the oldest and most well-founded constructs in the study of work (Thompson and Bunderson 2019), with origins in the religious metaphors of vocation and inspiration (Wu et al. 2019). The multidimensional work-as-a-calling construct concerns the affective, motivational, and spiritual bonds between individuals and their professions (Rosa et al. 2019). The calling orientation is the most intense in terms of the meaning that work can give to an individual, and it is usually those who follow that calling who live a more professionally engaged and committed life linked to positive values for a set of variables concerning well-being at work, such as professional maturity, commitment to work, and meaning and satisfaction at work and in life (Duffy and Dik 2013).

Nevertheless, there is still no consensus in the literature regarding a clear definition of the work-as-a-calling construct. Considering the various definitions that have been made over the years, two perspectives are evident among scholars. On the one hand, there is the neoclassical perspective based on the religious origin of the notion of calling, which considers each individual to be born with a vocation for a particular type of work and motivated by a social desire to have a positive impact on the community, and in which this desire has transcendent origins or arises through a sense of destiny (Dik and Shimizu 2018). On the other hand, there is the modernist perspective, more aligned with today's modern and largely individualistic values, which focuses on self-expression, self-realization, and the intrinsic meaning of work. Calling, according to this perspective, is an expression of individual passions and interests, and is not driven by a sense of duty or social responsibility. Thus understood, calling is an individual choice and a form of

personal expression, rather than representing a transcendent destiny waiting to be revealed (Thompson and Bunderson 2019).

Vianello et al. (2018) added to the knowledge on this theme by building a calling model based on the following seven dimensions: (1) passion, materializing in a deep sense of satisfaction when performing the activity; (2) omnipresence, experienced as a deep presence of the calling in an individual's thoughts; (3) purpose, revealing how commitment to the call offers the opportunity to accomplish something with purpose in life; (4) sacrifice, in terms of an individual's willingness to sacrifice something of his/her life for the calling; (5) identity, reflecting the importance of the relationship between one's identity and activity; (6) transcendent calling, indicating the presence of a spiritual impulse in the domain of calling; and (7) prosocial orientation, which includes other social components that guide the calling.

However, it is still not clear in the literature how a call develops over time; that is, whether it is a consequence of positive experiences associated with the profession (an a posteriori calling), the choice of an individual for a particular profession (an a priori calling), or a combination of these two possibilities. The results of Rosa et al. (2019) appear to favor a posteriori calling, as they identify three longitudinal calling-development indicators, namely, committed learning, clear professional identity, and social support.

The literature also suggests that while it is one thing to perceive a calling, it is a very different thing to effectively live a calling. While these two constructs are related, they are however opposite to one another, as there are many people who feel a calling but do not live it, and therein lies the "dark side" of the calling orientation (Duffy et al. 2016).

For a better organization of contents, Table 1 includes the different dimensions of the literature review carried out in this section, as well as keywords from the literature and the respective sources used.

Table 1. Theoretical framework overview.

Theoretical Framework	Key Dimensions	References
Institutional theory	Institutions; complex social structures; self-stimulated processes; rules; values; routines; rituals; isomorphism.	Correia (2012); Garcia (2015); Cardinale (2018); Altayar (2018); Alvesson and Spicer (2019); Lewis et al. (2019); Guimarães et al. (2020).
Role stress	Role conflicts; role ambiguities; role overload; social construction; behavior pattern.	Çelik (2013); Ebbers and Wijnberg (2017); Orgambídez-Ramos et al. (2017).
Occupational burnout	Health perceptions; burnout, stress (symptomatic and cognitive), sleep disturbances; depression; quantitative requirements; pace of work; cognitive requirements; emotional demands; requirements to hide emotions.	Kristensen et al. (2005); Cardador and Caza (2012); Rosário et al. (2017); Silva et al. (2019).
Calling orientation	Subjective experience; job; career; calling; mixed profiles.	Wrzesniewski et al. (1997); Greene and Robbins (2015); Pitacho et al. (2019).

Source: own elaboration based on the cited references.

3. Legal Framework of the Portuguese Judicature

The Law on the Organization of the Judiciary System (Assembleia da República Portuguesa 2013) establishes the rules for the framing and organization of the Portuguese judicial system (article 1). It enshrines the courts as organs of sovereignty with competence to administer justice on behalf of the people. Thus, in the administration of justice, it is incumbent upon the courts to ensure the defence of legally protected rights and interests, to repress the violation of democratic legality, and to resolve conflicts of public and private interests.

In turn, the Public Ministry represents the State, defends the interests that the law determines, participates in the execution of the criminal policy defined by the sovereign bodies, carries out criminal action guided by the principle of legality, and defends democratic legality, under the terms of the Portuguese Constitution (article 2).

The law defines four different categories as judicial professions: Judges (articles 4, 5, 6, 7, and 8), Public Ministry Magistrates (articles 9, 10, and 11), Lawyers and Solicitors (articles 12, 13, 14, 15, 16, and 17), and the Bailiffs (articles 18, 19, 20, and 21).

There are different categories of courts: in addition to the Constitutional Court, there are the following categories of courts: the Supreme Court of Justice and the judicial courts of first and second instance; the Supreme Administrative Court and other administrative and tax courts; and the Court of Auditors. The courts of second instance are, as a rule, the Courts of Appeal, and are designated by the name of the municipality in which they are located. Courts of first instance are, as a rule, district courts. Additionally, there may be arbitration tribunals and justices of the peace (article 29). For the scope of this article, it is important to understand more deeply the case of the management of the courts of first instance. Table 2 comprises the objectives and the different actors that compose the new management model.

Table 2. Components of the first instance courts management.

Components of the First Instance Courts Management	Legal Definition	Article
Objectives and monitoring	Superior Council for the Judiciary and the Attorney General of the Republic, in conjunction with the member of the Government responsible for the area of justice, establish, within the scope of their respective competences, strategic objectives for the performance of the judicial courts of first instance for the subsequent three years. Compliance with the strategic objectives is monitored annually by the entities.	Article 90
Procedural objectives	Taking into account the results obtained in the previous year and the objectives formulated for the following year, the president of the court and the coordinating Public Prosecutor's Office, after hearing the judicial administrator, articulate, for the following year, proposals for objectives of a procedural, management, or administrative nature, for the district, for the courts with extended territorial jurisdiction, as well as for the Attorney General's Offices and Public Prosecutor's Offices based there.	Article 91
Presiding judge	In each county court there is a president. The president of the court is appointed, by choice, by the Superior Council of the Judiciary, on a commission of service, for a period of three years according to a set of requirements.	Articles 92, 93, 94, 95, 96, 97, and 98
Coordinator of the Public Prosecutor's Office	In each district there is a coordinating Public Prosecutor who directs the Public Prosecutor's Office. The coordinating Public Prosecutor is appointed by the Superior Council of the Public Prosecution Service, on a three-year service commission, according to a set of requirements.	Articles 99, 100, 101, 102, and 103

Table 2. *Cont.*

Components of the First Instance Courts Management	Legal Definition	Article
Court administrator	In each district court there is a judicial administrator. The judicial administrator, although exercising his own powers, acts under the general guidance of the presiding judge of the court, with the exception of matters that exclusively concern the functioning of the Public Prosecutor's Office, in which case he acts under the generic guidance of the magistrate of the Ministry Coordinating public. The judicial administrator is appointed on a service commission, for a period of three years, by the presiding judge of the court, after hearing the coordinator of the Public Prosecutor's Office, chosen from among five candidates, previously selected by the Ministry of Justice.	Articles 104, 105, 106, and 107.

Source: own elaboration based in the Law on the Judiciary System Organization (LOSJ) (Assembleia da República Portuguesa 2013).

4. Methodology

This paper followed a theoretical approach of a qualitative nature (Bansal et al. 2018) aiming to contribute towards the attainment of our overall goal: to explore the influence of role conflict and role ambiguity in occupational burnout among judges and to analyze the influence of calling orientation as a moderating variable, so as to present a conceptual model of role-stress management among the judiciary.

For the data collection method, we resorted to literary review and analysis of empirical studies' inferences regarding role-stress management among the judiciary. After the analysis, a theoretical-conceptual model was developed. The model is composed of six hypotheses, aiming to understand the calling orientation among judges, the role stress and occupational burnout in the judiciary, and the moderating role of calling orientation. The model in Figure 1 is divided into four related dimensions: role conflict, role ambiguity, calling orientation, and occupational burnout.
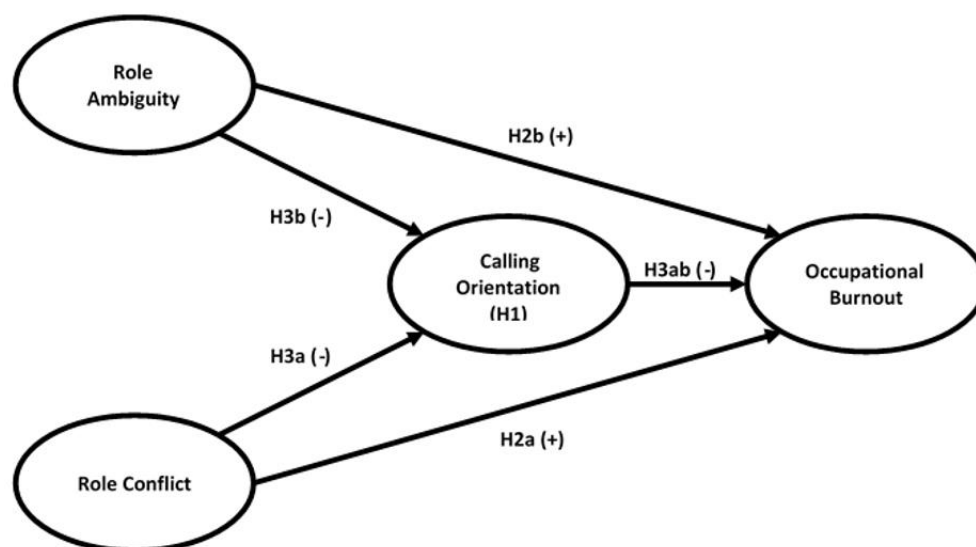

Figure 1. Conceptual model of role-stress management among the judiciary. Source: Author's own elaboration.

5. Results and Discussion

5.1. Conceptual Model of Role-Stress Management in the Judiciary: Calling Orientation among Judges

Calling orientation is emerging as a concept among researchers in various psychology disciplines (Duffy and Dik 2013). Calling is a positive construct that describes how much individuals understand their work as a meaningful, even all-consuming, passion—that is, a passion lived as a transcendent calling, that defines the "I" and the purpose of an individual's life and contributes to the well-being of society (Rosa and Vianello 2020). Scholars' definitions of calling are divided between those that assume a neoclassical conceptual perspective and those that assume a modernist conceptual perspective (Thompson and Bunderson 2019). According to the neoclassical perspective, social motivation, the desire to have a positive impact on one's community, is the central element of calling. It is thus defined as a transcendent or divine calling or as a sense of destiny to be pursued (Dik and Shimizu 2018).

Gomes et al. (2016) identified four individual and social profiles with respect to the motivation of judges in their work, namely, the profiles of social activist, public service provider, judicial moderator, and defender of the status quo. The first two of these profiles are associated with strong social motivation, in terms of both social justice and social utility.

As a professional group, judges are in full agreement about the concordance of power and responsibilities regarding their societal role, as well as in their appreciation and valuing of the impact that their work has on communities, stating that this is perceived as a vocation and as a destiny pursued (Gomes et al. 2016; Guimarães et al. 2017; Silva et al. 2019). As such, according to the qualitative studies carried out to date, members of the judiciary appear to follow a calling orientation in their work. The following hypothesis was thus established (Figure 1):

Hypothesis 1 (H1). *Judges follow a calling orientation in their work.*

5.2. Conceptual Model of Role-Stress Management in the Judiciary: Role Stress and Occupational Burnout

For a more harmonious functioning, organizations should minimize role conflict and role ambiguity, accounting for their negative effects at both organizational and employee levels (Ebbers and Wijnberg 2017). Negative consequences may appear in the form of emotional exhaustion and depersonalization; depression, anxiety, and uncertainty (Hirsh and Kang 2016); and decreased productivity at work (Karatepe and Uludag 2008).

People feel stressed in environments characterized by uncertainty (Huang et al. 2020). Previous studies have concluded that role stress, and more specifically, role conflict and role ambiguity, lead to occupational burnout (Wu et al. 2019). When judges exhibit various role conflicts and ambiguities due to incompatibilities between their duties and uncertainties resulting from a lack of communication between the courts and the justice ministry, their understanding of their duties and purpose is seriously compromised.

In this sense, role conflict will lead to role incompatibilities and ambiguities, which in turn will lead to uncertainties regarding the organization and development of the judges' work. These incompatibilities and uncertainties may cause judges to unnecessarily spend time seeking additional information to address the perceived incompatibilities and uncertainties, and if clarifications from the system are not forthcoming, fatigue at work may easily set in. The introduction of the judge-manager role means that judges no longer have an exact understanding of the objectives and responsibilities of their role, causing challenges in combining and prioritizing tasks. This phenomenon, when combined with the judiciary's high level of responsibility, may lead to physical and mental exhaustion and consequent feelings of burnout in the work performed.

Based on the above arguments, the following hypotheses were established (Figure 1):

Hypothesis 2a (H2a). *Higher levels of role conflict in judges' work lead to higher levels of occupational burnout.*

Hypothesis 2b (H2b). *Higher levels of role ambiguity in judges' work lead to higher levels of occupational burnout.*

5.3. Conceptual Model of Role-Stress Management in the Judiciary: The Moderating Role of Calling Orientation

A calling orientation leads individuals to realize something that provides them satisfaction and a sense of purpose in their lives and contributes to the construction of a positive identity (Rosa et al. 2019). Furthermore, calling orientation is associated with a prosocial nature, in which an individual's understanding of a job as a calling incorporates an intense desire to actively contribute to making the world a better place (Dik and Shimizu 2018; Pitacho et al. 2020).

The positive relationship between calling orientation and other forms of satisfaction (Peng et al. 2020), health at work, and personal well-being (Duffy and Dik 2013) are well established in the literature, and there is clear evidence associating this construct with positive perceptions of work and life (Thompson and Bunderson 2019). Previous studies report that those who feel a greater sense of calling focus more on feelings of accomplishment and on opportunities to use their personal and work knowledge and less on aspects related to remuneration (Nikolova and Cnossen 2020). Calling orientation also reduces role stress (Greene and Robbins 2015) and contributes to better mental health (Duffy et al. 2017), while other studies conclude that individuals exhibiting higher levels of calling experience higher levels of job satisfaction, show longer-lasting commitment, and are less prone to experiencing feelings of burnout (Yoon et al. 2017).

Cardador and Caza (2012) concluded that the calling construct can be used to help predict occupational burnout. In this respect, calling orientation arises as a variable moderating burnout in professional groups such as early-career university professors (Lian et al. 2021) and physicians (Creed et al. 2014; Zhang et al. 2020). The results of Lian et al. (2021) indicate that a higher level of calling orientation can lead to individuals experiencing more positive emotions at work, which as a result may reduce feelings of burnout. Calling therefore plays an important role in influencing occupational burnout, in the sense that through living a calling orientation, the relationship between the potentially negative consequences of role stress, role conflict, role ambiguity, and burnout can be mediated.

As a consequence of their new judge-manager role, judges are confronted with incompatible tasks and uncertainties on a daily basis. They face judgment and sentencing decisions as well as administrative and management duties and are tasked with coordinating courts to ensure they function as effectively as possible. Calling orientation can have a positive moderating effect on the conflicts that may arise among the complex set of responsibilities and obligations of judges, and it is these conflicts that can lead to feelings of burnout in the performance of their duties.

Thus, according to the arguments outlined above, the following hypotheses were established (Figure 1):

Hypothesis 3a (H3a). *Calling orientation emerges as a variable that moderates between role conflict in judges' work and occupational burnout.*

Hypothesis 3b (H3b). *Calling orientation emerges as a variable that moderates between role ambiguity in judges' work and occupational burnout.*

6. Conclusions

The objective of the present study was to construct a conceptual model representing the influence of role conflict and role ambiguity on occupational burnout among judges and to analyze the influence of calling orientation as a moderating variable in order to develop a conceptual model of role-stress management among the judiciary.

With regard to its theoretical contributions, the model expands on the existing literature on role conflict and role ambiguity by introducing calling orientation as a moderating variable. It also contributes to the literature on burnout, particularly regarding burnout predictors (i.e., role conflict and role ambiguity), and hypothesizes calling orientation as a moderating factor. Additionally, it extends research into a professional group that has so far been the subject of relatively little study due to a "judicial culture" (Mak et al. 2018) intrinsically less accessible to the scientific community, and it proposes a stress-management model that can be applied to this group.

Regarding its practical implications, the model presented here can contribute to a more appropriate management of the judicial system, particularly with respect to court management. More specifically, and as stated by Ebbers and Wijnberg (2017), role conflicts and role ambiguities should be minimized in an organization, as these increase the risk of an organization losing track of its purpose and failing to ensure efficient communication between its employees. The identification of conflicts and ambiguities among the judiciary becomes the starting point for rethinking the new role assigned to judges and for deciding whether this new form of organizing the judiciary's work should be maintained or restructured. Due to the high societal importance of this professional group, stability and equilibrium among judges must be considered key to the proper functioning of the judicial system. The traditional role assumed by judges already represents, by itself, a significant burden in a judge's life, both in terms of its societal impact and its inherent career path. It should also be stressed that many judges do not possess the management or administration training necessary for an adequate performance in the business of running a court (Silva et al. 2019), further revealing the weaknesses of the judge-manager role and the need for its reform.

Given the apparent incompatibility between judges' traditional role and their more recent management role, the creation of a new legal-assistant career in the Portuguese judicial system could be an answer to the question of how human resources practices and policies can facilitate a more harmonious and healthy functioning of the courts, with such legal assistants supporting the administrative tasks associated with proceedings to which the judiciary has to give the best possible response to the community within a reasonable time.

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