Escaping rules in a World of Standards

A typology and a radical contribution

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Abstract *The findings in this paper illuminate fundamental aspects of rules, rule setting and rule following. Among the general topics discussed are the following: In what ways can rules be legitimately escaped? Can or should anyone and anything be formally regulated? What do we expect from "proper" rules? Modern society is characterized by an increasing number of rules. Against this backdrop this paper calls attention to the limits of formal regulation by exploring the theme of regulatory escape. The aim is twofold: I first present a typology of lawful strategies which may be used by rule-sceptics to escape rule-following. Secondly, I suggest a rather radical contribution to this literature: regulatory escape by defiance of the institutionalized rule construction itself. I illustrate this escape strategy using empirical data from my recent PhD-project on the "regulatory exception" of the Swedish management consultancy field. More specifically I suggest that management consultants' successful regulatory escape from professional standardization has been achieved by constant acts of disorganization and identity reconstruction reproducing conditions of vagueness, uniqueness and change which defy rule-setters in their struggles to fulfil the institutionalized rule ideals of explicitness, generality and stability.*

1. INTRODUCTION

Many individuals and organizations welcome rules for their capacity to increase order, safety, security and prediction. In fact, most of us wish for a formally regulated environment. We want to feel safe and in control of others (Brennan &

Buchanan 1985). But few of us are equally happy about others restricting us. Already Greek stoic Epictetus was aware of this dilemma of formal rules when he concluded:

> *"What is it that every man seeks? To be secure…and to do what he pleases without restraint and without compulsion."* [1]

So for as long as there have been rules, there have also been rule-sceptics (Kadish & Kadish 1973, Edgerton 1985). Rules have been criticized for decreasing individual actors' freedom and local autonomy, for lowering the degree of innovation and variety and for putting an administrative and financial burden on society. Still, in the literature as in society, rule following is the norm and a signal of "the proper behaviour". Accordingly, with few exceptions, non-followers of rules have been described either as criminals or as "deviant misfits" unable to perform appropriately (Sumner 1994, Goode 1996) and many scholars have chosen to focus exclusively on the negative impact non-followers may face (Meyer & Rowan 1977, DiMaggio & Powell 1983 and Covaleski & Dirsmith 1988).

The hesitation to investigate strategies for and advantages of non-following rules is somewhat understandable when it comes to intra-organizational rules; directives such as public laws or company policies which usually are associated with a regulatory monopoly and sanction rights for the rule-setter. But in the past decade numerous studies have emphasized the powerful influence of "soft" rules and regulations in contemporary society. Among others, Brunsson and Jacobsson eds. (2000) and Ahrne & Brunsson eds. (2004) and colleagues have written extensively on the theme "a world of standards", analyzing the making and spread of formal standards such as accreditations, certifications, rankings and audits which seem to pop up all around us. Standards demonstrate important differences from the intra-organizational rules when it comes to enforcement-logics. Typically there is competition between standards and

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[1] Quote from Epictetus's Discourses section 4:1.

standard followers are usually not required to become formal members of the standard setter's organization.

Every day standards are launched as efficient solutions to a variety of problems faced by modern organizations and individuals. Since standards are *inter*-organizational rules - rules bought "in the regulatory market place" - the lack of regulatory monopoly puts more pressure on standard setters to actually *convince* sceptical potential followers of the value of rule-following and the legitimacy of their rules (Tamm-Hallström 2004, de Vries 2001). The marketing massages of rule-setters such as the ISO (International Standards Organization) tell of a globalizing world in which large numbers of organizations need to coordinate their actions, information and goods across long distances in order to handle complex challenges and risks (see www.iso.com). Problems of complexity, shared risks and interaction between many parties across major distances all seem to point to standards as the utmost solution (Feng 2003).

When taking the global perspective and when including standards, to order the world by way of rules appears more popular and important today than perhaps ever before. However, as the standard business breaks new ground in the regulatory marketplace standards continue to spread also to the more local fields, areas and issues previously not subject to formal regulation. Empirical studies by Jacobsson, Mörth and Sahlin-Andersson (2004) have shown that it has become increasingly difficult for rule-sceptical actors to find legitimate reasons and strategies to avoid standard-following. Besides handling the morally loaded messages of risk and responsibility, rule-sceptics may also find it sensitive to openly question standards based on scientific and technological expertise (Jacobsson 2000).

No matter how voluntary and "soft" standards are claimed to be, the institutional pressure may be very real and scholarly silence on the potential downsides of this pro-rules trend may be used indirectly by the standard setters' sales forces to further instil the institutionalized "standard as solution" – idea. It is important to keep Weber's notion of a regulatory "iron cage" in mind before

we let ourselves be seduced by a "soft" regulation that may very well turn out to be an illusion of freedom (Svedberg-Nilsson, Henning & Fernler, eds. 2005).

No matter what our thoughts on this pro-rules development are, critical analysis is called for. Critical analysis of not only rule making and enthusiastic rule followers but also of the roles of and spaces for rule-sceptics and alternative ordering mechanisms. Sure, all societies face a number of collective order challenges. Problems of interaction, information and status all call for solutions. But can or should anyone and anything be *formally* regulated? Are modern actors in today's "risk society" (Beck 1992) ready to trade their freedom for security? What will happen to the local variations in this era of the regulatory marketplace? And what about the informal ordering mechanisms such as mutual adjustment, confidence and shared values?

The aim of this paper is twofold: Firstly I would like to call attention to the limits of formal regulation by presenting a strategic typology and some illustrating examples of lawful strategies which may be used by rule-sceptics to escape rule-following. Secondly I am going to suggest a rather radical contribution to this literature on regulatory escape, namely *escape by defiance of the institutionalized rule construction itself*. To illustrate this escape strategy I present data from my recent PhD project on the regulatory exception of the Swedish management consultancy field (Alexius 2007). After the empirical case analysis a summary and some concluding remarks conclude the discussion.

2. A STRATEGIC TYPOLOGY ON REGULATORY ESCAPE

In this section I present a compilation of studies and illustrating examples which in one way or another address the topic of regulatory escape. When working on this literature review I have had the ambition to include studies and examples which could give some direction to rule-sceptic individuals and organizations on how to lawfully escape rule-following. First off I find it important to mention the inflation of the concept of rules. Eager use within many different research

disciplines and a multitude of projects make it relevant to ask what *cannot* be analysed using the rule concept. Habits, norms, expectations, routines, mutual adjustments, cognitions, institutions, policies, standards and laws are just some examples of phenomena that scholars have analyzed using the concept of rules. I therefore want to make it clear that in the following typology I focus on strategies which may be used to escape the *explicit, formal rules*, i.e. standards and directives which are deliberately set and written down by a known rule-setter (Ahrne & Brunsson 2004). However some of the strategies may also be applicable to other ordering mechanisms such as norms and institutions.

I have chosen to organize the text around six major "strategic headings" that I have come across in the somewhat dispersed texts on the subject. Ranging from the least to the most radical, at least in my view, the six strategic headings making up this typology are: (1) Influencing the rule-setter's decision, (2) Shifting regulatory environments, (3) Becoming a rule-setter, (4) Modifying to escape the regulatory intention, (5) Pretending to be a rule-follower and (6) Ignoring or defying rules.

2.1 Influencing the rule-setter's decision

Voicing and voting

What a rule-sceptic can do to escape rule-following depends a lot on the context. Underlying much of the literature on the regulatory escape theme is the assumption of *organization*. It is assumed that rule-sceptics are acting within an organizational context and it is suggested that rule-sceptics themselves ought to get organized and participate actively in negotiations in their efforts to escape rule-following.

Within the organizational context rule-sceptics could try what Hirschman (1970) called the *voice* strategy, i.e. to openly declare one's dissatisfaction with a suggested rule to hopefully exert an influence on the rule-setter's decision. In democratic organizations there are certain procedures for legitimate criticism

and opposition to various suggestions on (for example) rules. To put it simply, rule-sceptics may *voice* their opinions and if given the chance they may also *vote* against unwanted rules and vote for the preferred ones. In fact this touches on the second major assumption underlying much of the literature in this typology: the assumption of *modesty*. This second assumption states that rule-sceptics should be modest in their requests and if critical of some rules they must be prepared to accept alternative rules.

Participating in negotiations on changes and exceptions
Rule-sceptics may also engage themselves in *negotiations* on suggested changes in the wording of the rule or on exceptions to the rule (Pfeffer & Salancik 1978:143-187, Oliver 1991:154). Such negotiations may be taken care of independently or by professional lobbyists (Jutterström 2004). According to Edgerton (1985) there are factors in every society suggesting *exceptions* from rules. Edgerton's extensive review of anthropological studies on exceptions from rules shows that exceptions have been granted to those who are thought incapable of responsible rule following, for example young children and the physically or mentally handicapped. Moreover, exceptions have often been given to the financially and politically influential elite. Many societies have also accepted exceptions limited in time and space. Lawful departures from sexual rules have for instance occurred at certain ceremonies and criminals have been granted a refuge inside churches. In his study Edgerton also found that situations characterized by inequality, a pressing need to cooperate or great danger were likely to result in rules *without* exceptions (ibid).

   In their book on "lawful departures from legal rules" Kadish & Kadish (1973) are concerned with the informal principles or norms on more or less legitimate exceptions to rules that surround each regulatory system. They (ibid) describe three such norms which may be used by rule-sceptics in order to obtain and justify an exception from rule-following: (1) Norm of the Lesser Evil – if there are two rules "don't walk on the grass" and "don't litter" and the wind accidentally carries a few sheets of your essay onto the grass, it may be alright to walk on to

the grass to pick them up. (3) *Norm of Justifiable Nonenforcement* – it may be justified to not follow a rule if it hasn't been properly enforced and (2) *Norm of Validity* – is this rule really applicable or can I refer to a rule of a higher order? For instance referring to the American Constitution when questioning a local US state regulation.

A fourth related counter argument is that of *extraordinary* or *unique* conditions*.* In her study of a major building project in Stockholm Sahlin-Andersson (2002:256) found that describing the project as extraordinary and unique implied that no comparable objects of reference existed. This lack of comparable objects was then referred to as an excuse of the lack of clear plans for the project. Studying another major construction project Lindahl (2003:395-396) also found that classifying a situation as extraordinary or unique signalled that existing rules and routines were not necessarily applicable, a condition which was seen as a legitimate reason to reinterpret or totally set aside agreements and rules.

2.2 Shifting regulatory environments

Making an exit

When rules differ between organizations or fields, rule-sceptics may escape a certain rule by shifting organizations or fields. The most obvious strategy for this is *exit* (Hirschman, 1970) i.e. a geographic shift. If you dislike your employer's policies you may look for a job elsewhere. If you happen to be a rich Swedish sport celebrity you can move to Luxembourg or Monaco to reduce your tax bill.

However, three preconditions have to be met for the exit strategy to be applicable. Firstly, the rule-sceptic must be allowed to exit the organization. The erection of the Berlin wall was a drastic measure intended to hinder people from leaving east for west and in China it used to be illegal for employees to change employers. Secondly, the regulatory differences must prove real, not only in rhetoric but also in practice. If organizations operate within the same normative and regulative field the value of changing organizations may be limited. Thirdly,

the rule-sceptic must be allowed entry into the new organization. For example, asylum seekers and work applicants may not be accepted as citizens or employees of the state or employer of their choice.

Reconstructing one's identity

Another strategy to shift regulatory environments is what Oliver (1991:153-156) calls *escape* and I prefer to call *identity reconstruction* since I find this concept more informative and since I have chosen to use the escape concept as a major heading for all the strategies in this typology. Using the strategy of identity reconstruction the rule-sceptic actively engages in modifying the own goals, activities or domains until rule-following no longer is applicable.

The logic behind this strategy is the following: rules are not tailor made to fit a single specific actor or situation (Allot 1980). Rules are intended to regulate a *group* of *similar* actors or conditions, for instance all persons employed by a company or all firms operating within a certain field. Since rules are based on such general categories (Hood 1986) rule-sceptics may escape rules by changing themselves until they no longer fit the rule-follower category. One way of putting it is that the aim of the former strategy of geographic exit is to escape the rule-setter's territory whereas the aim of the latter strategy of identity reconstruction is to escape the rule – a strategy which may be better suited for the inter-organizational standards which may spread far and wide.

2.3 Becoming a rule-setter

Setting a competing rule

Most rule-sceptics prefer their own rules to those of others and when it comes to standards most anyone may launch an alternative, competing standard (Brunsson & Jacobsson 2000 eds, Ahrne & Brunsson 2004). One such case was described by Nilsson (2005) who studied the Swedish paper- och pulp producers' choice to leave one environmental standard called "Svanen" (the Swan) to create

their own – the environmental declaration "Paper Profile". Nilsson found it likely that the Paper Profile-declaration was preferred to the Svanen-standard as the former enabled more flexibility and local- and context based solutions. Whereas the Svanen had explicit and predefined demand levels that the rule-followers had to fulfil and report in relation to reference values, the only predefined structure of the Paper Profile-declaration was a number of parameter headings. No reference values such as predefined limits or indexes were included.

Setting a meta-rule restricting other rules

Another strategy which goes well with both of the overarching assumptions of organization and modestly could be for rule-sceptics to opt for control instead of competition, to organize rule-sceptics in order to set a hierarchically superior rule restricting the unwanted rules. An application of this strategy was observed in the US field for higher education during the 1940s and -50s (Alexius & Sandebring 2005, Sandebring 2004, Selden 1960, Blauch ed 1959). In this historic example many universities were of the opinion that accreditations for the higher education programs had become too many, too costly and too restricting for innovation and more spontaneous market adjustment. The rule-sceptic universities used the existing rule-setters strategically as arenas for committees, commissions, meetings and conferences. And over time, after over a decade, the rule-sceptics eventually succeeded in bringing forth their views on the rules.

Following the assumptions of organization and modesty, the rule-sceptics in this historical example chose to counter the many accreditations with *more* organization and *new* rules, although of a higher order. Instead of using competition the rule-sceptic universities opted for control when they created an association featuring all the rule-sceptic universities as it's members. With their new *meta-organization*[2] (Ahrne & Brunsson 2008) in place the rule-sceptic universities were able to launch their own "meta-standard" stating which

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[2] *Meta-organization* is a theoretical concept for an organization which has organizations as its' members.

accreditations the members were to follow and not follow. Thanks to this meta-strategy the accreditations were cut back drastically and the rule-sceptic universities were once again in charge of their regulatory space.

2.4 Modifying the rule to escape the regulatory intention

Making local interpretations

Another possibility to indirectly escape rule-following may be to escape the regulatory intention by modifying an existing rule according to one's own preferences. Ideal-typical rules require an explicit formulation in a clear and unwavering language and Erlingsdóttir (1999) has demonstrated that the room for local interpretation is much more restricted if the rules are explicitly formulated. But there is always *some* room for interpretation of a rule-text (Wittgenstein 1954), not least when the rule has to be "translated" to fit the local "language" and contextual characteristics. This is another strategy which may be particularly applicable to the inter-organizational standards which often "travel" long distances and then first need to be disembedded from the rule-setter's environment and later need to be re-embedded in the local context of the rule-follower (Czarniawska & Joerges 1996, Giddens 1990, Røvik 1996, 1998).

Following an extended version

When a large IT-corporation experienced institutional pressure to follow a certain IT-standard but wanted to keep its' strategic edge, the corporation found a way to escape the intention of the rule when it chose to interpret the standard as stipulating minimum requirements. The corporation then decided to follow an *extended version* of the standard. All of the corporation's products were produced according to the standard but they were delivered with a number of special features, so called "add ons" installed. In practice these "add ons" eventually tied the customers to the corporation's product line since the competitors' products were not compatible with these special features. In this respect this

major IT-corporation was able to "eat the cookie and have it too" while following the standard but at the same time escaping its' regulatory compatibility intention. Another practical application of this strategy was observed in the study of the environmental "Paper Profile"-declaration mentioned earlier. In this case and for the same reason as above, one of the paper- and pulp producers deliberately chose to add two extra pages to its' environmental report on top of the stipulated requirements of the standard (Nilsson 2005).

Following two or more competing standards

A third possibility to escape the regulatory intention of a standard could be to follow two or more competing standards at the same time. Within the cell phone industry for a long time and due and to continental market restrictions there were different standards for different geographical regions. This meant that a European cell phone was impossible to use when calling from the US and vice versa. However a number of cell phone producers managed to escape the intention of this regulation by constructing phones which were compatible with *both* the European and the US standard and therefore could function on both sides of the Atlantic Ocean. Paradoxically enough, as we learn from this example, following two standards may sometimes allow more freedom than following one.

2.5 Pretending to be a rule-follower

De-coupling core activities from rule-following

Rule-sceptics who feel uncomfortable at the thought of open opposition may very well choose a less noticeable escape strategy. A large number of studies conducted within the neo-institutional framework (among which Meyer & Rowan 1977 and Brunsson 1989 are two of the more well-known) have suggested that such a "hidden" opposition – hiding regulatory escape behind a rule-following façade if you wish - may be a successful approach enabling rule-

sceptics to keep the benefits of rule-following - such a stability, legitimacy and resources, while manipulating or avoiding the external regulatory demands and the potential down-side of rule-following - such as administrative costs and a decrease in autonomy and flexibility.

The *de-coupling* strategy (Meyer & Rowan 1977) could in this case imply to allow different parts of an organization to follow different rules or to "protect" core activities from rule-following altogether. An example of de-coupling to escape rule-following was observed in a merger between the Swedish consultancy firms A and B. The employees in company A had a collective agreement while the employees in company B didn't. The new board of directors in charge of the merger sought a way not to extend the collective agreement to the employees in former company B. They chose to de-couple the employees in former company B from those in former company A by creating a new parent firm which had former companies A and B as its' subsidiaries. Even though in practices the two subsidiaries worked together as one de-coupling made it possible for the board to lawfully escape from applying the collective agreement to hundreds of employees in former company B.

Being a hypocrite

Rule-sceptics may also choose to be *hypocrites* and talk as if they followed the rule when in practice refraining from doing so (Brunsson 1989, 2003). Making a decision to follow a rule or communicating a promise to do so in the future may be enough to calm down critics and sustain legitimacy even in a regulatory environment where rule-following is a priority. Thanks to hypocrisy the politically skilled rule-sceptic may make decision after decision to follow rules without ever doing to in practice. When the increasing traffic in the Stockholm area was criticized during the 1990s, the local politicians managed to calm down the critics by referring to a decision from the early 1990s to decrease the traffic by 30 percent – within 15 years (example from Brunsson 2003).

A variety on the hypocrisy strategy aiming to silence critics arguing for the need of regulation would be to *simultaneously engage in two incompatible acts*

giving the preferred act much higher priority and more resources. This strategy has for example been seen when Shell started to communicate a care for the environment or when Mc Donald's started to sponsor sports events.

Another variety of the hypocrisy strategy applicable to individuals has been described by Maier (2004) as *active disengagement* which she defines as portraying an unconstructive attitude on the verge of sabotage. For the rule-sceptic employee this strategy suggests never walking down the corridor without a stack of folders under one's arm, always bringing lots of paper work home at night and above all, never truly letting oneself get engaged in any organized activities. This escape strategy is all about discrete make pretence, or "cynical dis-identification" to use the words of Fleming & Spicer (2003).

2.6 Defying rule-setters and rules

Defying the rule-setter by non-participation

Defiance is a more active form of escape or even resistance to rules. According to Oliver (1991:156-157) who writes about reactions to institutional processes, organizations are most prone to ignore or openly dismiss, challenge or attack rule-setters and rules when (1) rule-sceptics interests diverge dramatically from external values, when (2) organizations believe they can demonstrate the rationality or righteousness of their own alternative convictions and conduct, or when (3) organizations believe they have little to lose by displaying their antagonism towards the constituents that judge or oppose them.

One way of defying rule-setters and their rules may be to refrain from participating in negotiations and meetings headed by the rule-setter, a suggestion similar to Maier's (2004) above. As we have seen several times so far the assumption of *organization* underlies much of the literature on the topic of regulatory escape. However there is always a risk that rule-sceptics who participate actively in negotiations headed by the rule-setter will experience a lock-in effect. And sometimes rule-setters use co-option as a deliberate strategy

to increase their own legitimacy (Oliver 1991:157). Therefore rule-sceptics may be wise to also consider a non-participatory strategy.

Tamm-Hallström (2006) who studied interest groups in the International Standardizartion Organization ISO's process to create a standard on CSR (or to be precise, in this case SR) writes that actors that were first sceptical or open opponents to the standard met great pressure to adjust and tone down their critique. It is likely that the strong focus on consensus in the organized standardization process may sometimes result in this kind of peer pressure. The consequences of such lock-in effects may be that everyone that participates in the process, even the rule-sceptics, are seen as indirectly promoting the standard. Not least in the ISO-case where all participants must pay a fee in order to participate in the negotiations and these resources may be used to market the standard. This example suggests that it may be wise for rule-sceptics to stay away from negotiations, in particular when they are organized by the rule-setter. According to Sharp (1973:183) such non-cooperative strategies are most likely to influence the opponent (in this case the rule-setter) when the number of non-cooperating parties (in this case rule-sceptics) is great.

A suggested contribution: defying the very rule construction itself

In this section I want to propose a contribution to the literature of regulatory escape by suggesting that rule-sceptics may also escape rule-following by defying *the very rule construction* itself. Just as organizations and their various attributes have been institutionalized (Brunsson & Sahlin-Andersson 2000), there is also a shared idea on the list of attributes that "proper" rules must portray. Based on a study on ideal typical rule constructions (see Alexius 2007 chapter 5) I have suggested that "proper" rules ought to demonstrate three basic attributes: *explicitness*, *generality* and *stability* and that any shortcomings concerning these attributes may be used by rule-sceptics to justify non-following. Again, this is a strategy that may be particularly applicable to standards since the lack of regulatory monopoly puts much more pressure on standard-setters to *convince* sceptical potential followers of the value of rule-following and of the legitimacy of

their rules. Put intentions and content aside, if the rules are not constructed as "proper" rules they may be easier to ignore or defy. Or at least, so my argument goes and my case studies of the struggles of the failing rule-setters in the Swedish management consultancy field support such a stance (Alexius 2007, chapters 6-8).

EXPLICITNESS That *explicitness* as in measurability and references to science helps legitimizing rules is well known and often apparent in standard setters' sales communications (Jacobsson 2000, Alexius & Furusten 2005). However there is also a more subtle yet basic meaning of the explicitness-ideal. Already Aristotle observed that the chances of constructing explicit rules varied depending on the characteristics of the phenomena to be regulated (Fuller 1964:64). No language construction can be a perfect description of reality. As stated earlier, Wittgenstein (1954) showed that no rule can be detailed enough to exclude room for interpretation. But numerous studies have nevertheless confirmed that the explicitness ideal of rules is highly institutionalized. Rule-setters are expected to do what they can to minimize the risks of wrongful interpretations and contradictions by constructing as explicit rule-texts as possible (e.g. Sjögren 2006) noting that the formality and explicitness of rules also make them more sensitive to critical analysis (March, Schultz and Zhou 2000:18). The conditions to set explicit (enough) rules are most favourable when the phenomenon to be regulated can be described in a clear and unwavering language. Therefore vagueness of rules may be used as an argument to justify non-following and the radical rule-sceptic actively seeks to reproduce such vagueness in the phenomena to be regulated.

GENERALITY We further believe that an ideal rule should be based on a *general*, universal category of some kind (Hood 1986). As stated previously in this paper, formal rules are intended to regulate a group of similar actors or conditions. Rules are not tailor made to fit a single specific actor or situation (Allot 1980). To create an ideal rule, rule-setters therefore need to find a common denominator among the phenomena to be regulated. The rule must explicitly state *who* the rule-followers are and to *which* situations or phenomena the rule applies. Therefore, supporting Sahlin-Andersson's and Lindahl's project studies

(mentioned earlier) rule-sceptics may escape rule-following by describing themselves (their services etc) as extraordinary or unique and by actively blurring boundaries and categories.

However, if it proves difficult to find other types of common denominators due to the rule followers' individualistic identities, the varied character of their services etc, rule-setters still normally keep an ace up their sleeves: the organizational affiliation of the rule-followers. Formal organizational affiliation (e.g. citizenship or membership) can act as a basis for rule-setting. In fact, formal organizational affiliation is the only legitimate basis for mandatory rules, due to the established authority relation, the social contract (Ahrne 1994). Members of organizations are offered an exclusive affiliation and access to common resources when in return accepting that within a certain "zone of indifference" (Barnard 1938) they are to give up their autonomy to follow the decisions and rules of the organization.

In fact organizational affiliation can be useful also when constructing standards as nothing stops standard-setter from directing their standards at other organizations' members. The conditions to set general (enough) rules are most favourable when there are already established well-defined categories of rule-followers etc. to be used – either by path dependence on already existing rules or by reference to organizational contracts (social contracts) regulating affiliation, membership etc. Therefore, as already described above, uniqueness may be used as an argument to justify non-following and the radical rule-sceptics actively seek to blur and split up their organizational affiliation.

STABILITY *Stability* is the third institutionalized attribute of "proper" rules (after *explicitness* and *generality)* that I suggest may be used by rule-sceptics to justify and escape non-following. Core to the stability ideal is our wish for predictability. We find it favourable that rules allow us to guide behaviour from a distance, whether action in other parts of the organization or future actions. We seem to prefer rules which span more than one community practices or site of activity and have temporal reach persisting over time (Bowker & Star 1999). It also seems that rules are somewhat better if they need not be changed so often

and some rules even get an air of devine eternity or natural law. Just think about the Ten Commandments which, according to the legend, were carved into stone tablets – the stability ideal in a nutshell! However, this stability ideal needs to be trustworthy in order to fulfil its purpose. It does not take a lot of guessing to conclude that rapid change poses the greatest threat to the stability ideal. Every time rules are created, changed or taken out of use a lot of time consuming and costly bureaucratic work is called for (Weber 1925/1966, Ivarsson-Westerberg 2004). It may take several years to create or change a rule and as a consequence of these rigid procedures a rule may by outdated before it is even accepted due to rapid change of the phenomena to be regulated. Therefore a rule-setter's chances of fulfilling the stability ideal are greatest when the phenomenon to be regulated is considered to be rather inert or at least not perceived to be changing too much or too quickly. Therefore, radical rule-sceptics make sure to always keep on changing, non stop. So let's follow their example leaving this typology behind for a visit to the Swedish consultancy field and an empirical illustration of this last radical defiance strategy.

3. REGULATORY ESCAPE BY MANAGEMENT CONSULTANTS

Despite the fact that modern society is characterized by an increasing number of rules, to this day management consultants still hold a regulatory exception. A significant difference between management consultants and individuals performing traditional professions such as medicine, law or accounting, is the lack of an abstract expert system for management consulting (Abbot 1988, Giddens 1990, Furusten 2003). So far, those who have tried to introduce common rules for management consultants have failed, whether it was a law of public procurement, professional standards, certifications or standard contracts.

In most countries there is no state regulation restricting the choice of consulting methods applied and anyone can call him/herself a management consultant since the title completely lacks legal protection. Kubr (1996) estimated that at the most

50 percent of the world's management consultants are members of any professional association. According to our estimations, fewer than 10 percent of the Swedish management consultants are members of any professional association (Alexius 2007, Furusten 2003). The only state regulation affecting the conduct of Swedish consultants - the law of public procurement (LOU), has been widely opposed to and evaded by consultants and clients a like (Lindberg 2003, Lindberg & Furusten 2005) and the Swedish introduction of the international Certified Management Consultant-certification (CMC) has only managed to attract a handful of the Swedish consultants so far (Alexius 2007, www.samc.se).

The purpose of my recent dissertation project (Alexius 2007) was to understand why it is that despite numerous attempts, to this day it has proven nearly impossible to formally regulate management consultants and their services. There are several hypothetic answers as to why the Swedish consultancy field is still a largely informally regulated field where formal regulation is scarce and formal regulatory attempts typically fail. Some may suggest an *evolutionary* explanation pointing to the relatively young age of this profession (Abbot 1988). A related line of thought would be to seek a *functional* explanation arguing that the consultancy business is characterized by close relationships between few parties which share norms and operate within the same local environment (Furusten & Werr 2005). A third way to tackle the question above could be to point at *organizational* weaknesses of the rule-setters (e.g. Ahrne & Brunsson 2008; Alexius 2005, Tamm-Hallström 2004). However, as the attentive reader may already have guessed I have chosen to investigate yet another hypothesis: the importance of an active regulatory escape.

3.1 A note on material and method

The empirical field studies which I draw on in the following pages were carried out in the Swedish consultancy field between the years 2002 and 2006. When embarking on my first pilot field study in the spring of 2002, I set out to map standard setters of professional standards and expected to find regulatory spread and success, as had all my colleagues carrying out similar studies in other fields

in the Swedish context at that time. The initial quantitative surface observations were promising, however pretty soon I came across several puzzling findings that seemed to point in the opposite direction. Right away I faced the, as it later turned out, fundamental problem of establishing the categories and the limits of management consultancy. When I started to e-mail and phone representatives of the hundreds of potential standard setters I had found searching the Internet (mostly networks and communities of different kinds) most of them turned out to be empty shells already deserted. The coming years I continued to trace and chase the consultants around the field relentlessly looking for signs of some *organized* escape of rule-following before I finally managed to think outside of the theoretical toolbox and then gradually became aware of another two less obvious but most fundamental *dis-organizing* escape strategies, which seemed to have the principle of defiance by *movement* at heart and which were hard to notice as regulatory escape at first but which continuously seemed to reproduce unfavourable conditions for formal regulation in the field (for details on rule-setter struggle in the field see Alexius 2007, chapters 6-8 or Alexius 2005).

When looking back at the research process leading up to my PhD-thesis and this paper, it is clear that intuition and continuous interpretation has been more important to the results than explicit procedure. There was no predetermined research plan limiting the search process in this project. Instead I actively sought to remain open and alert to any information and material that could help me reformulate and later answer the research question. I have studied a number of regulatory failures (not referred to in this paper) as well as attitudes and reactions to rules in this local field. Methodologically, I have combined several techniques and materials, though mainly qualitative – interviews, documentary studies and participant observations - in order to grasp and explain the unexpected findings of the regulatory failures of the Swedish Management Consultancy field (for details see Alexius 2007, chapter 2).

3.2 Ignoring rule-setters and rules

On the one hand it's common knowledge management consultants share a trait with us social scientists: like most of us they enjoy regulating others. Consultants earn their living selling advice and business standards to their clients, so in this sense consultants would not survive without rules. On the other hand though, and following Epictetus's classic dilemma (see quote on page 2), consultants very much dislike the idea of others regulating *them*. Consultants can spend hours on end advising clients how they ought to organize and regulate their businesses. But when, in an interview study with 20 Swedish management consultants, I asked them about their views on professional associations and attempts at launching ethical standards and standard contracts for management consultancy, I noticed no signs of enthusiasm. On the contrary, my questions were met with raised eyebrows and much scepticism. Existing standards, trade organizations and standardardization attempts concerning management consultancy (like the CMC-certification for instance) were either totally ignored or openly dismissed as unnecessary or unnatural and problematic with reference to informal alternatives such as confidence, a shared ideology and mutual adjustment, alternatives which were eagerly promoted by the consultants.

The informants all started off saying they did not know of any standard or trade organization currently affecting their business or professional behaviour. Here are a few typical answers to my question "What rules are there for management consultants and management consultancy?":

"Are there any such rules?"
"Rules? Not that I know of. No I don't think so."
"No, there are no such rules."
"For management consultants!? No way."

As a further illustration, the vast majority of the interviewees claimed they had never even heard about the Swedish Association for Management Consultants, a professional trade association which has struggled to organize and standardize

Swedish consultants for close to 40 years now and which to this day only organizes about 20 consultants of the 4000 or so in Sweden (see Alexius 2007, chapter 7).

3.3 Promoting alternative ordering mechanisms

In addition to this initial inclination to ignore rules, during the interviews professional trade organizations and standards were generally described as "unnecessary" or "unnatural" interference with the consultants' private businesses. Such interference was greatly opposed to and compared to the "free market", which in turn was described as the "natural" state of affairs (Rydmark 2004, Alexius & Sandebring 2005). Many informants also questioned the problem-solving capacity of rules and spoke of rules in terms of impossibilities or *problems* rather than solutions. Only in a few cases were common professional standards described as "a good but impossible cause". Here are a few typical examples of this rhetoric:

> "No, definitely not! The very idea of state regulation is utterly strange. There is no need for such an authority."

> "I can't say that I have heard of any formal cooperation and I don't feel I need it. I would never want to join. I think it's a bit awkward."

> "There have always been consultants who want to unite consultants and create some kind of guild but they always fail. It dies. It's doomed to fail."

> "I have never heard any customer ask for formal regulation of consultants."

> "I don't know. Perhaps there is a need for a certification but I have never heard of any scandals. I honestly can't see my clients asking for a certification and I have no idea what a certification would cover."

> "I have a hard time seeing how a certification would come about. I mean who would decide the approach, the methods?"

> "Verifying a consultant. That's actually an impossibility."

Largely confirming earlier studies (e.g. Paulsson 2000, Furusten 2003, Furusten & Werr 2005), my studies indicated that actors in the Swedish consultancy field still clearly prefer the *informal* regulatory mechanisms to formal initiatives. These informal alternatives to rules are institutionalized and highly valued not only in the Swedish consulting field but internationally among consultants (Kubr 1996). While actively constructing common rules as problems, the informants spoke very fondly of informal interactionistic alternatives to formal regulation. They preferred personal relations and confidence to standard procurement contracts and chose informal networking on the golf course before the "dull inefficiency" they associated with trade associations' meetings. Despite the ongoing global standard-hype, the order of this local field continues to be based on mutual adjustment (Lindblom 2003) featuring shared norms and values and a common background building confidence, personal friendships and informal networks (Alexius 2007, Furusten 2003, Rydmark 2004, Furusten & Werr eds. 2005). In the following quotes, these informal regulatory mechanisms are described by consultants:

> *"It's all about networks, of course! Most deals happen thanks to your relations. You know who the people are and you have had positive experiences together. Or a person you trust may have recommended somebody he or she knows."*

> *"There are informal rules that I have been taught by colleagues and superiors when working in different projects."*

> *"There is a certain culture in the consultancy firm. A common informal framework, some kind of spine."*

> *"You have to remember that both we and our clients are fairly well educated. You can't fool anybody. There is mutual respect."*

> *"It's survival of the fittest. If you don't create an added value to your clients you're out. And that's why I don't see the point of certification."*

As illustrated above, on a discursive level management consultants openly ignored rules; they belittled their problem-solving capacity and suggested alternative informal solutions to traditional regulatory problems. But was this

rhetoric, this sceptical attitude, really all it took to escape regulation? In the coming pages I will argue that this defiance rhetoric only serves as "gloss" on more important acts of defiance.

3.4 Defying the explicitness ideal

Management consultants have been likened to travelling salesmen selling words (Czarniawska-Joergers 1988) as many of them excel in coming up with vague and ambiguous labels for their services. When I conducted a documentary study of the content on consulting firms' ads in a business and marketing magazine called "Konsultguiden" (the Consultancy Guide) for the years 2000-2006 I found numerous examples of such vague and ambiguous service descriptions. Here are a few typical examples:

> *"We help your company tackle complex challenges and create new opportunities for growth."*

> *"We help companies understand and create the future."*

> *"We are a guide for companies which experience change and development."*

When the only really tangible sign of the consultant's activities in the customer organization may be a note of the number of hours to be debited (Rydmark 2004, Bäcklund & Werr 2005) one may begin to wonder what the service consists of more precisely and whether this content can somehow be transformed into explicit rule-texts. As suggested previously in the literature review, rule-sceptics may escape rules by successfully defying the rule with reference to the institutionalized ideal of formal rules. By setting vague and ambiguous labels to their services and continuously changing these labels, management consultants defy the explicitness ideal of rules. But this is still the least important tenet of their defiant behaviour.

3.5 Defying the generality ideal

Emphasizing differences by reference to uniqueness

Rules are often used to differentiate, to create a higher status for a certain group of actors at the expense of other groups in a field (Brunsson & Jacobsson 2000). As an illustration, professional groups tend to fight for and then safe guard their exclusive rights to perform certain services (Abbot 1988). However, rules which aim to create inter-group differentiation always require *intra*-group *similarities*. As discussed above, to create an ideal rule, rule-setters need to find a common denominator among the phenomena to be regulated. The rule must explicitly state *who* the rule-followers are and to *which* situations or phenomena the rule applies.

   Professional standards are commonly used to assure a certain degree of similarity between professionals. Accountants, doctors and lawyers all strive to acquire a formal authorization given only to those who follow the professional standards of conduct. By successfully mastering tests and fulfilling other pre-defined requirements, the candidate happily exposes his/her likeness to future colleges. The medical licence, police badge etc. then becomes an explicit sign of rule-following which is proudly worn or shown as individuals performing a profession typically want to *resemble* one another and *belong* to the same professional system.

   Management consultants however want to be *different*. All of the 50 or so consultants that I interviewed or had longer conversations with during my field studies proudly expressed a view of himself or herself as different from other consultants. These differences could be referred to an underlying assumption of each individual as unique and thus different from others (Thomas et al 1987). The ideological prominence of individualism was most evident as the consultants described their services as intimately associated with the consultant as an individual. This view is exemplified in the following interview excerpts:

"Consulting is very much your own person. You are your own instrument. The methods you use are just tools for the real tool, which is you!"

"Consulting is competence paralleled with personality. There is such a great variety of combinations that it becomes almost impossible to describe it."

Clients I interviewed said they had learnt over time that the value of management consulting services tended to be strongly linked to the qualities of the consultants as individuals. A senior consultant who changed sides after 20 years of buying consultancy services as a client expressed his view on this matter:

"If you're offering an IT business system which the client is familiar with, he may know and demand the product. When it comes to management consulting, it's different. In almost 100 percent of the cases, it comes down to confidence based personal relationships. Clients don't just call up a consulting firm asking them to send over a consultant. That's extremely rare. It's more like 'I want Peter because I know Peter and I've worked with him before. I might accept others if Peter thinks they will be right for the project'."

Following the findings in Sahlin-Andersson (2002) and Lindahl (2003) the consultants' classifications of themselves as extraordinary or even unique seemed to signal that rules were not applicable to them. As both clients and consultants continuously re-create a notion of uniqueness, it becomes difficult for rule-setters to argue for the similarities they need as a basis for formal membership and regulation.

Acts of disorganization

As stated in the literature review, if it proves difficult to find other types of common denominators due to the rule followers' individualistic identities, the varied character of their services etc, rule-setters may still use the organizational affiliation of the rule-followers' as a basis for classification. However many of my interviewees expressed views that can perhaps best be described in terms of existential fear of formal organizations and rules. A majority of the informants

spoke of rules and organizations in terms of "regulated collectives", something which they thought very little of, to put it mildly. The consultants explained how they disliked being formally "tied up" with others. And several informants said they dreaded the very thought of belonging to an "inert hierarchical organization" and therefore chose to run their own businesses. Others told me they had decided to stay employed at a larger consulting firm to take advantage of its brand and relative job security. But despite this formal façade, many of these consultants gave me an impression of foremost staying true and loyal to themselves.

It thus seemed as if the consultants perceived *any* organization including the consultancy firm as a restricting bureaucratic threat to the individual consultant's autonomy and independence. And when interviewing top managers at consultancy firms they confirmed that despite elaborate promotion strategies high wages and reputation, consultancy firms often found it difficult to develop a sense of loyalty in their employed consultants (Rydmark 2004). I was told management consultants generally dislike being told what to do as they are individuals with an extraordinary thirst for freedom and autonomy. Contrary to my initial assumptions, the informants described the typical management consultant as a person having difficulty adapting and developing a sense of belonging to formal organizations. Here are a few typical quotes on the topic "why did you become a consultant?" that illustrate this dread of bureaucracies and wish for autonomy and independence:

> *"It had to do with independence I think. Something to do with freedom. The bureaucracies bothered me […] There is an interesting twist on the choice of becoming a consultant, namely that you don't fit, you're unsuitable for organizations."*

> *"It's was the freedom, another dimension of freedom. To be able to decide for yourself what to get into. It's more "me" than "us" today. It's quite common for consultants to work as I do in what may look like one firm but what is really a bunch of separate businesses."*

> *"I wasn't happy with my assignments as an accountant. It was too strict, too regulated. I felt very restricted in my work. There was no room for my own*

ideas […] I felt I wanted more challenges. As a consultant you get to see so many different types of companies and industries and you're not stuck in one place".

Setting the existential dimension aside, when tracing and chasing the rule-sceptic consultants around and about in the field it also became clear to me that consultants always seemed to be on the move *somewhere else* in a most physical and geographical sense. I also heard many stories emphasizing these "temporary", "flowing" or "hopping" qualities of management consultants.

Clients normally pay consultants to help out on a temporary basis which means consultants come and go. Many consultants even run parallel projects in different client organizations and may only return to the consultancy firm on Fridays. These work conditions imply that consultants' physical and mental presence in *any* one organization can be described as temporary and weak. Their presence is limited and their organizational affiliation seems to be split up as they constantly "hop on" and off various projects at different clients.

Judging from the descriptions given, it furthermore seems as though many consultants find themselves flowing *not* in and out, but rather a little *outside* of the formal structures and regulations at the client firms. What at first glance may look like a temporary project within the client hierarchy, formally regulated by client-bureaucracy, could perhaps better be described as a continuous and informally regulated interaction within a personal network (Rydmark 2004). The interviewees described consulting projects as zones of autonomy where both consultants and client employees were able to escape formal regulation and bureaucracy in a legitimate way. In conclusion, these findings propose that consultants may give off an impression of belonging everywhere and adapting easily to organizational structures, when in fact they manage to stays just *outside* of the formal structures by engaging in constant acts of *disorganization*, i.e. breaking up and shifting between organizations and projects, thereby defying the generality ideal of formal rules.

3.6 Escaping the stability ideal

Identity reconstruction

A criterion for being described as modern is an inclination to change (Garsten 2003). In this respect management consultants pass the modernity test. Apart from changing service labels and hopping about in the organizational landscape consultants also claim to constantly change over time. The uniqueness associated with the consultancy service was described in quite extreme terms during the interviews. Most consultants spoke of uniqueness over *space* i.e. consultant A and consultant B being different from one another at t1. Many of the informants also expressed an idea of uniqueness over *time,* i.e. an expectation of a consultant on project 2 at time t2 to deliver a service perceived to be fundamentally different from that which s/he delivered in an earlier project 1 at t1. Continuous learning and personal development were often referred to and appeared to be closely linked to the professional consultancy-identity. During the interviews and I was repeatedly told that successful management consulting projects need to be innovative, strategic, future oriented and tailor made to fit a specific client in a particular situation. This was also a typical rhetoric to be seen in the ads:

> *"The customer's unique conditions and needs are always the starting point of our assignments"*

> *"We are experts at tailor making each project according to specific needs"*

The continuously changing "labels" on each service and project (which however may be used to conceal an "old" content) also signal this ideal of uniqueness over time which has it that no client will pay consultants for yesterday's news or for a "standardized" strategic edge. Moreover, an ideal-typical rule requires an explicit formulation in a clear and unwavering language. These endless modifications of services and labels act as a defiance of the stability ideal of rules as they make it extremely tiresome, costly and perhaps even impossible to keep the explicit rule-formulations up to date.

4. SUMMARY AND CONCLUDING REMARKS

This paper touches upon a classic dilemma; our wishes to balance our need for formal regulation and our need for freedom from such regulation. The ongoing standardization movement and its' missionaries are currently working actively to instil the idea of rules as the perfect solution and cure for actors in modern society. Many buy both the concept and the rules. But these efforts to expand the reach and use of formal regulation onto actors, issues and areas previously ordered in a more informal fashion calls for critical analysis. In this paper I argue that scholars need to pay more attention not just to rule-setters and the enthusiastic rule followers but also to the rule-sceptics and the possibilities of lawful regulatory escape.

In the literature as in society at large, rule following has been the norm and non-followers have been unfairly treated and harshly labelled as either criminals or deviant misfits. Scholars have chosen to emphasize the potential downside of non-following and have been more hesitant to investigate strategies for and advantages of non-following. This hesitant attitude may be justified when it comes to the intra-organizational rules but in this "world of standards" the enforcement logics are changed. Competition between rule-setters and between rules puts more pressure on rule-setters to use marketing to convince us all of the value and legitimacy of their rules. Scholarly silence on the downsides of rule-following and on alternatives to rules may then be used indirectly by the standard sales forces to promote rules as *the* solution to most of our problems.

In this paper my aim has been to contribute to a critical discussion of the limits of rules by presenting a typology of lawful strategies for regulatory escape. When conducting the literature review I found that underlying much of the literature on the theme of regulatory escape was an assumption of *organization*. First and foremost rule-sceptics are advised to be polite enough to participate in the rule-setter's negotiations and to follow the frameworks and procedures set up to influence the rule-setter's decision on changes and exceptions to rule-following.

Rule-sceptics are also advised to be *modest* in their requests; another fundamental assumption in the literature namely states that rule-sceptics may only hope for a change of rules, if they object to some rules they but must be prepared to embrace other rules. For instance the strategies for "Shifting regulatory environments"; geographic exit and escape by identity reconstruction both imply that rule-sceptics may hope to escape some rules but must be ready to follow other rules. The same goes for the strategy "Becoming a rule-setter" – leaving one organization and a set of rules for another.

The strategic suggestions "Modifying the rule to escape the regulatory intention", and "Pretending to be a rule follower" represent a sort of midway compromise as rule-sceptics are here advised to hide their regulatory escape and scepticism behind a rule-following façade. But out of the six strategic headings in the typology it is only one "Ignoring and defying rules" that even acknowledges informal alternatives to rules and suggests a less modest stance questioning the legitimacy of the rule-setters' and rules. In this paper I have sought to make a contribution to this defiance strategy by showing how it can be taken a step further to a more fundamental and radical, yet still lawful level.

The empirical illustrations of the regulatory escape in the Swedish management consultancy field make a break with the traditional assumptions on organization and modesty. The regulatory escape of the management consultants is more radical yet it may be hard to notice until we throw out the old assumptions and think outside of the theoretical toolbox.

Key to the regulatory escape of the management consultants is *disorganization* - a mode of constant movement. Consultants seem to combine the strategies of geographic exit and escape by identity reconstruction. But most importantly they never settle (down) for alternative rules. Instead they keep on shifting regulatory environments – exiting organizations and reconstructing their identities – and by doing so consultants manage to brake free and head off before any rule-setters have a chance to pin them down with their categories and definitions. More precisely I suggest that management consultants succeed in escaping regulation by actively defying the institutionalized ideal of the formal rule. When

continuously reconstructing themselves and their services as *vague*, *unique* and *ever changing over time and space* it proves difficult or even impossible to set convincing *explicit*, *general* and *inert* rules for management consultancy.

Rule-sceptics have long been advised to get organized and to follow existing procedures closely in order to perhaps escape some rules. The case of the management consultants however serves to remind us that organizing may not only be of benefit to rule-sceptics. Organizing also involves some risks since organizing and rule making go hand in hand. And therefore, *disorganizing* to escape the very rule construction itself may be an interesting option to explore further.

5. LIST OF REFERENCES

[All translations of Swedish titles into English are my own]

Abbott, A. 1988. *The Systems of Professions* Chicago: University of Chicago Press.

Ahrne, G. 1994. *Social Organizations.* London: Sage.

Ahrne, G. & N. Brunsson. 2008. *Meta-organizations*. Cheltenham: Edvard Elgar.

Ahrne, G. & N. Brunsson, red. 2004. *Regelexplosionen.* Stockholm: EFI
at the Stockholm School of Economics.

Ahrne, G. & N. Brunsson. 2004. "Regelexplosionen" i Ahrne,
G. & N. Brunsson, red. *Regelexplosionen*. [*The rule explosion*]
Stockholm: EFI at the Stockholm School of Economics.

Alexius, S. 2007. *Regelmotståndarna – om konsten att undkomma regler [Rule-resisters: on the art of
escaping rules*]. Stockholm: EFI at the Stockholm School of Economics.

Alexius, S. 2005. *Self-regulating others – Meta organizational
strategies in the Swedish consulting field*. Paper presented at the
"EGOS 21:st Colloquium", Berlin June 30th -July 2nd..

Alexius, S. & S. Furusten. 2005. "Dealing with Values" in
Furusten, S. & A. Werr, eds. *Dealing with Confidence: The Construction of Need and Trust
in Management Advisory Services*. Copenhagen Business Press.

Alexius, S. & A. Sandebring. 2005. "Strategier för att stoppa regler" ["Strategies to stop rules"]
in Svedberg-Nilsson, K., H. Roger & K. Fernler, eds. *En illusion av frihet. [An illusion of
freedom]* Stockholm: Studentlitteratur.

Allot, A. 1980. *The Limits of Law.* London: Butterworths.

Barnard, C. 1938. *The functions of the executive.*
Cambridge, MA: Harvard University Press.

Beck, U. 1992. *Risk Society.* London: Sage.

Blauch, L. E. red. 1959. *Accreditation in higher education.* Washington: US Department of Health,
Education and Welfare, Office of Education.

Bowker, G.,C. & S. L. Star. 1999. *Sorting things out: Classification and Its Consequences*.
Cambridge MA: MIT Press.

Brennan, G. & J. Buchanan. 1985. *The reason of rules: constitutional political economy.*
Cambridge University Press.

Brunsson, N. 1989. *The organization of hypocrisy: Talk, decision and actions in organizations.* Chichester: Wiley.

Brunsson, N. 2003. "Organized hypocrisy" in Czarniawska, B. & G. Sévon, red. *The Northern Lights.* Liber – Abstrakt – Copenhagen Business School Press.

Brunsson, N. & B. Jacobsson, red. 2000. *A world of standards.* Oxford: Oxford University Press.

Brunsson, N. & B. Jacobsson. 2000. "The Pros and Cons of Standardization – An Epilogue" in Brunsson, N. & B. Jacobsson, red. *A world of standards.* Oxford: Oxford University Press.

Brunsson, N. & K. Sahlin-Andersson. 2000. "Constructing Organizations: The Example of Public Sector Reform" in *Organization Studies.* Vol 21/4:721-746.

Bäcklund, J. & A. Werr. 2005. "Breaking the Personal Tie – On the formalization of the procurement of management consulting services" in Furusten, S. & A. Werr , eds. *Dealing with Confidence – The Construction of Need and Trust in Management Advisory Services.* Copenhagen Business Press.

Covaleski, M.A. & Dirsmith, M.W. 1988. "An institutional perspective on the rise, social transformation, and fall of a university budget category" i *Administrative Science Quarterly*, 33:562-587.

Czarniawska-Joerges, B. 1998. *Att handla med ord – om organisatoriskt prat, organisatorisk styrning och företagsledningskonsultering. [Dealing with words – on talk, leadership and management consultancy]* Stockholm: Carlssons.

Czarniawska, B. & B. Joerges. 1996. "Travels of Ideas" in *Translating Organizational Change.* Berlin-New York: Walter de Gruyter.

de Vries, H. J. 2001. *Standardisation – Outline of a Field of Research*. Paper presented at the "3rd Interdisciplinary Workshop on Standardization Research, Department of Standardization", Universität des Bundeswehr, September 23rd-25th.

DiMaggio, P. J. & W. W. Powell. 1983. "The iron cage revisited: Institutionalized isomorphism and collective rationality in organizational fields" i *American Sociological Review*, 48:147-160.

Edgerton, R. B. 1985. *Rules, Exceptions and Social Order*. Berkeley: University of California Press.

Erlingsdóttir, G. 1999. *Förförande idéer – kvalitetssäkring i hälso- och sjukvården [Seductive ideas – assuring quality in health care]* Ekonomihögskolan, Lunds Universitet: KFS.

Feng, P. 2003. "Studying Standardization: A Review of the Literature". Paper presenterad at the "3rd IEEE Conference on Standardization and Innovation in Information Technology", Delft, October 22nd -24th .

Fleming, P. & A. Spicer. 2003. "Working at a Cynical Distance: Implications for Power, Subjectivity and Resistance" i *Organization*, 10(1):157-179.

Fuller, L. L. 1964. *The Morality of Law.* Yale University Press.

Furusten, S. 2003. *God managementkonsultation – reglerad expertis eller improviserat artisteri?* [*Good management consultancy – regulated expertise or improvising artists?*] Lund: Studentlitteratur.

Furusten, S. & A. Werr red. 2005. *Dealing with Confidence – The Construction of Need and Trust in Management Advisory Services*. Copenhagen Business Press.

Furusten, S. & A. Werr. 2005. "Bringing in Managerial Expertise from External Markets" in Furusten, S. & A. Werr, red. *Dealing with Confidence – The Construction of Need and Trust in Management Advisory Services*. Copenhagen Business Press.

Garsten, C. 2003. "Nutida nomader: rörlighet och marknadskultur bland uthyrda konsulter" ["Current nomades: movement and market culture among temps"] in *Moderna Människor – Antropologiska perspektiv på samtiden [Modern man – antropological perspectives on our current times].* Garsten, C. & K. Sundman, red. Malmö: Liber.

Giddens, A. 1990. *The consequences of modernity.* Stanford: Stanford University Press.

Goode, E. red. 1996. *Social deviance.* Needham Heights, MA: Allyn & Bacon.

Hirschman, A. O. 1970. *Exit, voice and loyalty.* Cambridge, MA: Harvard University Press.

Hood, C. 1986. *Administrative Analysis – an Introduction to Rules, Enforcement and Organizations.* Brighton: Wheatsheaf Books.

Ivarsson-Westerberg, A. 2004. *Papperspolisen – den ökande administrationen i moderna organisationer. [The paper police – the increasing administration in modern organizations].* Stockholm: EFI at the Stockholm School of Economics

Jacobsson, B. 2000. "Standardization and Expert Knowledge" in Brunsson, N. & B. Jacobsson, eds. *A world of standards.* Oxford: Oxford University Press.

Jacobsson, K., U. Mörth & K. Sahlin-Andersson. 2004. "Den frivilliga styrningens attraktionskraft " ["The attraction of voluntary direction"] in Boström, M., A. Forssell, K. Jacobsson och K. Tamm-Hallström. red. *Den organiserade frivilligheten [The organized voluntariness].* Lund: Liber.

Jutterström, M. 2004. *Att påverka beslut – företag i EU:s regelsättande.* [*Influencing decisions – companies in the EU rule-setting*] Stockholm: EFI at the Stockholm School of Economics.

Kadish, M. R. & Kadish, S. H. 1973. *Discretion to Disobey – A Study of Lawful Departures from Legal Rules*. Stanford: Stanford University Press.

Kubr, M. red. 1996. *Management Consulting: A Guide to the Profession – Third (revised) Edition.* Geneva:ILO.

Lindahl, M. 2003. *Produktion till varje pris. Om planering och improvisation i anläggningsprojekt. [Production at all costs: on planning and improvisation at project sites]* Stockholm: Arvinius förlag.

Lindberg, K. 2003. *Skapandet av en marknad: en studie i effekten av Lagen om Offentlig Upphandling vid inköp av Managementkonsulttjänster*. [*The making of a market: a study on the effects of the Law of Public Procurement].* Masters thesis presented at the Stockholm School of Economics.

Lindberg, K. & S. Furusten. 2005. ”Breaking Laws – Making Deals : procurement of management consultants in the public sector” i Furusten, S. & A. Werr, red. *Dealing with Confidence– The Construction of Need and Trust in Management Advisory Services.* Copenhagen Business Press.

Lindblom, C. E. 2003. *Marknad och samhälle*. [*Market and society*] Stockholm: SNS.

Maier, C. 2004. *Hej lättja - Om konsten och vikten av att göra minsta möjliga på jobbet.* [*Hello idleness: on the art and importance of doing the least possible at work*] Månpocket.

March, J. G., Schultz, M. och Z. Zhou. 2000. *The Dynamics of Rules – Change in Written Organizational Codes.* Stanford: Stanford University Press.

Meyer, J. W. & B. Rowan. 1977. “Institutionalized Organizations: Formal Structure as Myth and Ceremony” i *American Journal of Sociology,* 83:340-363.

Nilsson, S. 2005. ”Egendeklaration istället för miljömärkning: en reaktion mot regelexplosionen” [”Self-declaration instead of green labelling: a reaction to the rule explosion”] in the *Score report series*, 2005:5.

Oliver, C. 1991. ”Strategic Responses to Institutional Processes” i *Academy of Management Review*, vol. 16. No. 1:145-179.

Paulsson, K. 2000. ”Nätverk och organisation bland managementkonsulter”. [”Networks and organizations among management consultants”] Working paper presented at Score, Stockholm.

Pfeffer, J. & G. Salancik. 1978. *The external control of organizations.* New York: Harper & Row.

Power, M. 1997. *The audit society: Rituals of verification.* Oxford: Oxford University Press.

Rydmark [now Alexius], S. 2004. ”Hur man undviker regler – fallet managementkonsulterna” [”How to escape rules: the case of the management consultants”] in Ahrne, G. & N. Brunsson, eds. *Regelexplosionen. [The rule explosion]* Stockholm: EFI at the Stockholm School of Economics.

Røvik, K. A. 1996. ”Deinstitutionalization and the Logic of Fashion” i Czarniawska, B. & G. Sévon, red. *Translating Organizational Change.* Berlin: de Gruyter.

Røvik, K. A. 1998. *Moderne organisasjoner: Trender i organisasjonstenkningen ved tusenårsskiftet.* Bergen-Sandviken:Fagbokforlaget.

Sahlin-Andersson, K. 2002. "A project management as boundary work" i Sahlin-Andersson, K. & A. Söderholm, eds. *Beyond Project management.* Liber.

Sandebring, A. 2004. "Regler för högre utbildning – en historisk studie av regelsättande för högre utbildning i USA och Europa" ["Rules for higher education: a historical studie on rule-setting for higher education in the US and Europé"] , Stockholm: *Score's report series*, 2004:3.

Selden, W. K. 1960. *Accreditation – A struggle over standards in higher education*, New York: Harper Brothers.

Sharp, G. 1973. *The Politics of Nonviolent Action.* Boston: Porter Sargent Publisher.

Sjögren, E. 2006. *Reasonable Drugs – Making Decisions with Ambiguous Knowledge.* Stockholm: EFI at the Stockholm School of Economics.

Sumner, C. 1994. *The Sociology of Deviance – an obituary.* Buckingham: Open University Press.

Svedberg-Nilsson, K., H. Roger och K. Fernler, eds. *En illusion av frihet? Företag och organisationer i regelsamhället. [An illusion of freedom? Companies and organizations in the rule society]* Lund: Studentlitteratur.

Tamm-Hallström, K. 2004. *Organizing International standardization – ISO and the IASC in Quest for Authority.* Cheltenham: Edward Elgar.

Tamm-Hallström, K. 2006, "ISO Enters the Field of Social Responsibility (SR) – Construction and Tension of Global Governance" in *Vol. 4, Contributions to Governance – Global Governance and the Role of Non-State Actors*, F. Schuppert/WZB, eds. Berlin: Nomos.

Thomas, G., Meyer, J., Ramirez, J. W., och J. Boli. 1987. *Institutional Structure: Constituting State, Society and the Individual.* Beverly Hills: Sage.

Weber, M. 1925[1966]. *On law in Economy and Society*. Cambridge: Harvard University Press.

Wittgenstein, L. 1953. *Philosophical Investigations*. Oxford: Blackwell.