

Institutions and Maintenance: The Repair Work of Italian Professions

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Abstract

This paper contributes to extending institutional theory by theorizing institutional maintenance as a process of repair and empirically examining repair work in a professional setting. Our in-depth, longitudinal case study illustrates how Italian professions—led by two professional associations—rebuffed the decisive intervention of the Italian Government to coercively reform the professional service sector and reconstituted institutional arrangements that had been severely disrupted. The paper advances theory on the resilience of institutions by showing that maintenance repair work enables powerful incumbents to reverse change and re-establish the status quo.

Keywords

institutional maintenance, Italy, professions, repair work

And it ought to be remembered that there is nothing more difficult to take in hand, more perilous to conduct, or more uncertain in its success, than to take the lead in the introduction of a new order of things. Because the innovator has for enemies all those who have done well under the old conditions and lukewarm defenders in those who may do well under the new.

N. Machiavelli, *The Prince*, 1532

Introduction

The concept of institutional work offers an important new way to frame institutional analysis. The focus on the “purposive actions carried out by individual and collective actors to create, maintain, and disrupt institutions” (Lawrence, Suddaby, & Leca, 2011, p. 52) has enabled scholars to shed

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new light on the processes and mechanisms underpinning institutional maintenance and change. Importantly, the concept of institutional work problematizes existing notions of institutional maintenance. While institutional scholars have regarded maintenance as the uncontested, taken-for-granted reproduction of institutional scripts (Jepperson, 1991), the institutional work lens indicates that maintenance is not a stable property of the institutional order and various forms of work may be necessary to ensure institutional continuity and stability.

Heeding the call that institutional maintenance should be given more empirical and theoretical attention (Lawrence, Suddaby, & Leca, 2009), scholars have begun to illuminate the purposeful, effortful, and creative work institutional actors engage in to preserve the integrity of institutions (Currie, Lockett, Finn, Martin, & Waring, 2012; Dacin, Munir, & Tracey, 2010; Lok & de Rond, 2013; Quinn Trank & Washington, 2009; Zietsma & Lawrence, 2010). This growing body of research has provided important insights and illuminated how incumbents protect advantageous institutional arrangements from external threats. In particular, scholars have highlighted two main maintenance “strategies”: the reinforcement of the foundations of existing institutions (Lawrence, 1999; Zilber, 2009), and, when a breakdown occurs, the stretch of the institutional script to minimize the interference and maintain roles and positions (Currie et al., 2012; Lok & de Rond, 2013).

We extend this line of inquiry by investigating institutional maintenance when existing institutional arrangements are disrupted and the institutional order is “broken.” We theorize institutional maintenance as a process of repair of disrupted institutional arrangements and empirically examine institutional repair work, i.e., work that incumbents carry out to “reverse” the disruption and re-establish the status quo. Empirically, our study uses a discursive approach to institutional analysis (Phillips, Lawrence, & Hardy, 2004) to investigate a case of institutional repair work in the setting of Italian professions. We show the array of actions initiated by professions as institutional agents (Scott, 2008) to maintain their professional power and regain the privilege to self-regulate. In 2005, the Italian Government, under pressure to liberalize professional sectors, initiated a reform process aimed at designing a more competitive environment and ensuring fairer access to professional services. The paper illustrates how Italian professions—led by two professional associations, the National Forensic Council (NFC) and the Committee United for Professions (CUP)—reinstated the status quo by engaging in work aimed at (1) re-asserting the norms of institutional interaction; (2) re-establishing the balance of institutional powers; (3) regaining institutional leadership; and (4) reproducing institutionalized practices.

In the sections that follow we review extant research on institutional work and institutional maintenance. Then we describe our empirical case. After illustrating the methodology and analytical framework, we provide evidence of the institutional repair work done by NFC and CUP. We conclude by discussing how our case study importantly contributes to advancing knowledge on institutional maintenance and institutional work.

Theoretical Background

Institutions and maintenance: The “silent” work of institutional reproduction

Institutional theory serves organizational scholars well because it offers powerful theoretical explanations for the persistence and continuity of organizational processes and forms (Barley & Tolbert, 1997; DiMaggio & Powell, 1983). An institution is, by definition, a “more or less taken-for-granted repetitive social behavior that is underpinned by normative systems and cognitive understandings that give meaning to social exchange and thus enable *self-reproducing* social order”

(Greenwood, Oliver, Sahlin-Andersson, & Suddaby, 2008, pp. 4–5, emphasis added). Institutional scholars have regarded continuity as the norm rather than the exception and have shown how powerful institutional processes underpin the reproduction of the social order (Suddaby & Viale, 2011). In this perspective, stability is guaranteed as long as institutional arrangements are preserved and perpetuated—that is, as long as existing norms of social interaction are reproduced (Berger & Luckmann, 1967), mechanisms of social exchange are reiterated (Dacin et al., 2010), and no disruption occurs. In other words, the collective “silent” work of maintenance, i.e., the replication of cognitively institutionalized routines and practices, is assumed to be the primary mechanism through which the enduring nature of institutions is buttressed. It is not surprising, then, that institutional scholars have devoted much attention to investigating “unexpected” episodes of institutional change and have sought to understand how change is possible, despite the powerful constraints of institutionalized rules, norms, practices, and meanings (Dacin, Goodstein, & Scott, 2002; Greenwood & Suddaby, 2006; Maguire & Hardy, 2009).

The conceptualization of institutional maintenance as relatively unproblematic and taken-for-granted has recently been challenged by the notion of “institutional work” (Lawrence & Suddaby, 2006; Lawrence et al., 2009, 2011). The focus on “the purposive action of individuals and organizations” to maintain institutions (Lawrence & Suddaby, 2006, p. 215) offers a fruitful direction for attending more closely to how institutions are *actively* reproduced through practices and processes that preserve rules, norms, and symbols of institutional interaction. The institutional work perspective importantly moves institutional analysis forward by reconsidering the assumption that maintenance is the “default” option or a completely understood phenomenon. As scholars point out, “the existence of institutional work aimed at maintenance suggests that not all institutions are self-reproducing” (Hwang & Colyvas, 2011). A burgeoning body of scholarship has begun to unpack the concept of maintenance and illuminate the forms of work carried out by institutional actors to maintain institutions (Currie et al., 2012; Dacin et al., 2010; Lawrence & Suddaby, 2006; Lok & de Rond, 2013; Sminia, 2011). These studies show that maintenance work is typically triggered by the threat of a potential change to existing institutional arrangements. From the vantage point of incumbents, maintenance work is tightly related to acts of resistance, aimed at neutralizing threats, preventing change, and ensuring the continued adherence of institutional inhabitants to the “routine reproductive procedures” (Jepperson, 1991, p. 145) that enable the status quo to be preserved. Two distinct conceptualizations of maintenance work emerge from this stream of literature: (i) work aimed at preserving and reinforcing existing institutional arrangements; and (ii) work aimed at adjusting and adapting to inflected institutional arrangements.

Maintenance work as preservation and reinforcement of institutional arrangements

Lawrence and Suddaby (2006) began their investigation of institutional maintenance by identifying two categories of work and connecting them to, respectively, the coercive and the normative-cognitive pillar of institutions (Scott, 2008). The first category proposed the creation of rules and standards, the use of policing and enforcing processes, and the implementation of deterrence actions aimed at preserving the regulatory and legitimate authority of institutions (Galvin, 2002; Lawrence, 1999; Leblebici, Salancik, Copay, & King, 1991). The second category emphasized the perpetuation of institutional arrangements through the reinforcement of normative and cognitive bases of institutions; maintenance work includes tactics such as demonizing or valorizing existing sets of norms and beliefs (Suddaby & Greenwood, 2005) and the reinforcement or infusion of meanings through repetitions of stories of everyday routines and practices (Townley, 1997; Zilber,

2002, 2009). This taxonomy of types of work has been pivotal in understanding the creative acts of resistance put in place by individuals and organizations to maintain institutional arrangements in the face of field-level pressures, typically in the form of external threats.

Drawing upon Lawrence and Suddaby (2006), other scholars have further developed the institutional work lens by explicitly attending to the micro and macro-level processes that underpin institutional stability (Hardy & Maguire, 2010; Lawrence et al., 2009; Lok & de Rond, 2013; Rojas, 2010; Sminia, 2011; Zietsma & Lawrence, 2010; Zilber, 2009). Quinn Trank and Washington (2009), for instance, offered the illustration of a legitimating organization (i.e. the Association to Advance Collegiate Schools of Business [AACSB]) engaging in purposeful actions to respond to potential changes in the field of management education. More specifically, AACSB expended considerable effort to reinforce the normative foundations of the institutional arrangements for which it is a guardian (e.g., accreditation). In another important contribution, Dacin et al. (2010) examined the case of formal dining at the University of Cambridge to explain how micro-level events—organizational rituals—enable the reproduction of distinctive mechanisms of social interaction. Dacin and colleagues highlight how the preservation of the symbolic meanings infused in socialization processes significantly contributes to maintaining society-level institutions (i.e., the British class system). Finally, Zietsma and Lawrence (2010) enriched the theoretical understanding of institutional lifecycles—creation, maintenance, and innovation of institutions—by connecting the transformation of institutional fields to the boundary work and practice work of challengers and defenders. Importantly, they show how institutional stability is underpinned by a combination of regulatory and normative practices, e.g., policing, co-opting, educating, used by incumbents to reinforce their legitimacy and reproduce advantageous institutional arrangements.

Taken together, the body of literature synthesized by Lawrence and Suddaby (2006) and these empirical studies illuminate the processes through which existing systems of rules, norms, and beliefs are preserved and reinforced. Importantly, these studies challenge the conventional image of institutions as self-reproducing and taken-for-granted. Quite the opposite; the preservation of the institutional status quo requires incumbents to perform maintenance work in order to neutralize potential threats and ensure the perpetuity of governing rules, norms of social interactions and cognitive interpretive frames that undergird their positioning in the social sphere (Berger & Luckmann, 1967; Dacin et al., 2010; Jarzabkowski, Matthiesen, & van de Ven, 2008). Although informative, this stream of literature assumes that the successful policing of rules, monitoring of norms, and reinforcing of cognitive understandings is a necessary and sufficient condition to ensure institutional continuity. In other words, these accounts suggest that change is preventable and disruptions are avoidable. A second stream of literature has recently highlighted the caveats inherent in this assumption and drawn attention to forms of maintenance work that rely on the “plasticity” of institutions (Lok & de Rond, 2013).

Maintenance work as adjustment and adaptation to inflected institutional arrangements

Recently, scholars have acknowledged that preventing change is a challenging endeavor because there are “regular instances in which institutionalized practices break down and begin to diverge from highly institutionalized scripts” (Lok & de Rond, 2013, p. 185). Such divergence does not represent a potential threat, but a real fracture to the institutional status quo. Two recent studies show that in these circumstances incumbent institutional actors will engage in active and creative responses to maintain their positions and the integrity of the institutional order (Currie et al., 2012; Lok & de Rond, 2013).

Using ethnographic data from the Cambridge University Boat Club, Lok and de Rond (2013) show that different types of work are needed to maintain institutional arrangements after a breakdown, depending upon the extent of the disruption. Minor breakdowns can be addressed with “containment work,” e.g., ignoring, tolerating, reinforcing, so that they will not permanently affect the institutional script. In the authors’ words, “small tears in the institutional script can be temporarily patched up” (Lok & de Rond, 2013, p. 186) by normalizing and smoothing over small divergences. Similarly, Dacin et al., (2010) show that “wrinkles” in Cambridge formal dining were ironed out and the institutional order recomposed by disciplining isolated defectors (Dacin et al., 2010).

In contrast, major practice breakdowns create a fissure in the institutional script that cannot be simply contained. Incumbent actors wishing to maintain institutional arrangements, therefore, perform “restoration work.” e.g., excepting, reversing, self-correcting, to reconcile divergent practices with the inflected institutional arrangements. In the Cambridge study, normalcy was restored in the boat race team by “realigning script and practice” (Lok & de Rond, 2013, p. 203) and by temporarily stretching the institutional script to regain coherence and preserve its integrity. Along the same lines, Currie et al.’s (2012) case of the English National Health Service shows how elite medical professionals neutralized new labor policies that threatened their power and even reinforced their dominance. In particular, specialist doctors engaged in multiple forms of work, e.g., educating, theorizing, to assume a “delegation” role that preserved their ability to control resources and make decisions. That is, confronted with the impossibility of halting the change, incumbent agents adapted their practices and roles by actively shaping the change as it unfolded.

Although these studies provide important insights, they are less helpful for understanding how institutions can be maintained when a disruptive fracture in the institutional script occurs and there is no opportunity or willingness by incumbents for containment, adaptation, and negotiation. Investigations of institutional change (Hoffman, 1999; Lounsbury, 2002; Seo & Creed, 2002; Thornton & Ocasio, 1999) have led scholars to consider disruptions in the institutional order as triggers of de-institutionalization processes, capable of breaking the “iron cage” and tearing apart existing institutional settlements. Theoretical models of institutional change expect institutions to decline and a new institutional order to be created (Barley & Tolbert, 1997; Greenwood, Hinings, & Suddaby, 2002; Zietsma & Lawrence, 2010). As a result, institutional analysis has yet to consider whether and how incumbents can perform maintenance work aimed at reversing change and reestablishing the status quo.

The growing literature on institutional work suggests that the effects of shocks and disruptions may be reversed by actors able to “repair” institutions that have been broken. Although resuming existing institutional arrangements by active repair work is potentially more effortful than any other forms of maintenance, there may be specific circumstances in which resourceful actors are likely to succeed. We suggest that examining this possibility is critical to understanding institutional maintenance. Investigating how disrupted institutions can be maintained through the reversal of change and the restoration of the status quo has the potential to illuminate novel forms of work beyond the reinforcement of institutional arrangements and their adjustment. The research question motivating this paper is therefore: “How do incumbent actors successfully ‘repair’ disrupted institutional arrangements, that is, reverse change and re-establish the status quo?”

The Case Study

To address our research question, we conducted an in-depth case study of the attempt to reform intellectual professions in Italy, with a particular focus on the legal profession. The history of

professions in Italy has been characterized by continual attempts to reform the codes, rules, and practices that regulate the professions (Sereni, 1949). Over the years, professionals and politicians repeatedly requested the update of anachronistic legislative codes that in extreme cases date back to the founding of the Kingdom of Italy in 1861. Despite the apparent consensus on the need for a comprehensive reform, to date not much has been accomplished. Political instability, oppressive bureaucratization, and the distinct set of institutional arrangements of professions in Italy have been proffered as explanations for the inability to break the vicious cycle where reform proposals keep piling up in Parliament, only to be discarded when the government changes (Fiorenza, 2009; Olgiati & Pocar, 1988). In particular, scholars emphasize how the distinctive configuration of modern professionalism in Italy, aimed at preserving professional independence and autonomy, have also insulated Italian professions from competitive market dynamics and, importantly, hindered change (Fiorenza, 2009).

Three enduring and distinctive features of the Italian professional system are particularly salient in our case: (i) the distinction between regulated and non-regulated professions; (ii) the special status of the legal profession; and (iii) the distinctive set of institutionalized practices characterizing professions in Italy. First, there is in Italy a formal division between regulated and non-regulated professions with each category having dissimilar rights and degrees of autonomy. Under a system established in 1804, the core professions (e.g., law, medicine, and engineering) are given the status of regulated professions. In order to practice, each professional is required to join the regional affiliate of a state-sanctioned professional association called the *Ordine*. An *Ordine* is “a public entity, indissolubly professional and institutional, territorially diffused, compulsory, formally distinct, and (relatively) autonomous, enjoying the power to regulate itself and to represent the entire professional group” (Olgiati & Pocar, 1988, p. 340). At a national level, the aggregate of locally based professional *Ordini* is represented by the Committee United for Professions (CUP), the national professional association representing regulated professions. Conversely, non-core professions (e.g., chiropractors, marriage counselors, and public relations consultants) are non-regulated professions and belong to a different category. Their members are free to join groups and associations (represented by an association called the Coordination of Liberal Associations of Professions—COLAP), but these are not state-sanctioned as *Ordini*. Thus, these associations and their members are not granted the same status and privileges (e.g., autonomy to self-reform) granted to regulated professions. Some scholars have argued that the autonomy granted to *Ordini* by the state has supported the creation of a caste system in professions, and has also been successful at deterring any attempt to liberalize professional practices (Pammolli, Cambini, & Giannaccari, 2007; Sterlacchini, 2002).

Second, the Italian Government regards the legal profession as having a special status compared to all other professional groups. Lawyers belong to a distinct professional category that is regarded as extremely powerful. Not only do individual lawyers occupy influential positions in the government, but as a collective they have a special position, a “boundary role, at the border of the bureaucratic-administrative organization of the state” (Olgiati & Pocar, 1988, p. 343). To illustrate, the legal profession is the only one whose national body—the NFC—is formally consulted in juridical matters and located in Rome at the Ministry of Justice. Although other professional bodies have sprung up over time to represent distinctive interests (e.g., young lawyers, represented by the Association of Italian Young Lawyers [AIGA]), NFC is the only officially recognized association for the legal profession. As such, its influence is predominant over that of any other professional group.

Third, professions in Italy are extremely conservative when compared to Anglo-Saxon models of professionalism. Professional practices such as the use of maximum and minimum fixed fees are

protected and preserved by professional associations. Similarly, professional codes of conduct specifically prohibit the use of contingency fees, the negotiation of compensation, the advertising of professional services, and the creation of multidisciplinary practices.¹ In particular, the legal profession is typically regarded as one of the most conservative, allegedly because of the strenuous commitment of its representative associations to perpetuating a “caste” system. The continuation of these institutionalized practices has contributed to a general sentiment that the ambition of injecting competition into Italian professional service sectors is beyond reach (Pammolli et al., 2007; Sterlacchini, 2002).

These three features, embedded in practices, rules, norms, patterns of behavior, social interactions, and power hierarchies have been reproduced for decades and are still today the form and substance of the professional order in Italy. However, these institutional arrangements have recently been disrupted by the European Union’s request for an immediate reform of professions aimed at promoting competition and liberalizing professional services.

Disruption of the status quo

In 2005, a joint directive by the European Council and the European Parliament (*Direttiva 2005/36/EC*) required all member states to screen domestic legislation for compatibility with the EU’s guidelines. The objective was to develop a transparent system to compare qualifications across European member states and promote competition in the sector of professional services.

Under increasing pressures to comply with the EU mandate, in 2006 the Italian Government issued the Bersani decree (named after the Minister who signed it) which became law in August 2006 (n.248/06). The new legislation required all professions without distinction to comply with the EU guidelines and modify their codes of conduct to promote competition in professional markets. The law specifically targeted institutionalized practices: it abolished the fixed fee structure as the basis of the compensation system of professionals, promoted advertising of professional services, and enabled the creation of multidisciplinary professional organizations.

The abolition of century-old practices and the introduction of novel ones that allegedly endangered the integrity of professional conduct irritated the professionals. In addition, the representatives of the regulated professions, i.e., the NFC and CUP, were infuriated by the decisive move of the government to “bypass” the professions and violate their privilege of self-regulation. The autonomy of regulated professions was a sacred institutional norm that until that moment had been uncontested. The regulatory change was immediately and unanimously contested by professionals (who marched and protested in the streets) and their representative organizations (who incited them to do so). The government was accused of excluding professions from the decision-making process to impose an unacceptable regulatory change. The magnitude of the mobilization—which threatened to paralyze the country—and the authority of protesting groups convinced the government to allow representatives of the professions to voice their dissent in a formal setting. A committee of members of the government was tasked to schedule a series of hearings with interested constituents. An agreed-upon document would then be crafted by the committee and submitted to Parliament for approval.

Despite the efforts of the committee to reach a compromise between divergent interests and agendas in a timely manner, the hearings failed to achieve consensus among professionals and strained the already fragile political position of the Italian Government. Confronted with the impossibility of overcoming disagreements and reaching a consensual solution, the committee drafted a document proposing that the government limit its interference to the provision of general guidelines. Thus, an eventual new wave of reform promoted by the government would have had to follow the conventional pathway of consultation with the regulated professions. Additionally, the

legal profession was granted the special status that its representatives repeatedly claimed. The NFC was allowed to elaborate an autonomous reform—to be approved by Parliament—independent from the broader reform of other professions. The success of the NFC is evident in the following statement, posted by an anonymous contributor on the website of a small law firm:

The NFC tributes its endorsement to a reform that has been conceived by the NFC itself, whose objectives more or less explicated are ... the cancellation of competition in the market for professional services and the ban of advertising and the reintroduction of minimum fees. The whole thing flavoured—and perhaps this is the most annoying element—by a rhetoric which portrays NFC as a martyr, who mockingly pretends to support young professionals and emphasizes hypocritically merit.

In effect, by regaining the right to self-reform the legal profession was able to shape the legislation in a way that reinstated institutionalized practices and reasserted their power. Table 1 provides a chronological overview of the key events through which this process unfolded.

Our empirical question is: How did representatives of the regulated professions (led by the NFC and CUP) repair the institutional norm of self-regulation that was disrupted by the Bersani decree?

Research Design and Methods

Given our purpose to investigate institutional maintenance and a repair “process,” a case study of professions involved in a traumatic event such as a reform is particularly appropriate for three reasons (Eisenhardt, 1989; Eisenhardt & Graebner, 2007; Langley, 1999; Yin, 2008). First, case studies are especially useful at the early stage of theory development, when key themes and categories are yet to be empirically isolated (Yin, 2008). As we highlight in the theory section, the literature on institutional maintenance is still in its infancy and scholars have a particularly limited understanding of “repair” work. Second, professions represent one of the most fundamental institutions of western societies. As Scott (2008, p. 223) observes, “professions function as definers, interpreters, and appliers of institutional elements ... Professionals are not the only, but the most influential, contemporary crafters of institutions.” Heeding Scott’s call for more attention to the interplay between professions and institutions, we consider our empirical site to be ideal for theorizing professions’ central role in institutional maintenance.

Third, the richness of data offered by longitudinal case studies provides a strong foundation for examining discursive activities at play in maintenance processes (Hardy & Maguire, 2010; Phillips et al., 2004; Zilber, 2002). Researchers conducting longitudinal qualitative research with large sets of process data face methodological challenges (Langley, 1999; Pratt, 2009). In particular, meaningful boundaries in the empirical material have to be defined, although this may result in partially reducing the richness of the narrative. To address this potential concern, we followed Pratt’s (2009) practical suggestion to identify the main protagonist of the story, and position this central character at the front and center of our qualitative study. Thus, the key actors we focus on are the regulated Italian professions, with a particular focus on the legal profession and its official representative—the NFC. For this reason, when we refer to “professions” we intend regulated professions, unless otherwise stated.

Data sources

We engaged in two rounds of data collection and gathered extensive data from a wide array of sources such as official Government reports; Government laws and regulations; professional

Table 1. Chronology of Key Events.

Date	Event
December 2005	EC emanates guidelines for member states aimed at opening the market for professional services to competition
July 2006	The Italian Government issues Bersani decree (223/06) aimed at liberalizing professions and modernizing professional practices to comply with EU standards
August 2006	The reform is unanimously condemned by professions. Street protests, strikes and other forms of mobilization are organized against the government
September 2006	The 223/06 law remains in place but the government is “convinced” to revisit its strategy and to enable professions to participate in the reform process
October 2006	Professions ask for a negotiated, not coercively imposed, reform and mobilize for the reopening of the dialogue
December 2006	The government agrees to organize a series of hearings with professions and to prepare a new bill proposal incorporating their feedback
January 2007	The Italian Council of Ministers approves a new document (Mastella decree) and delegates the government to convert it into law within 18 months
February 2007	The government schedules a series of hearings with representatives of professions and other relevant organizations. The hearings are held by a parliamentary committee with the task of preparing a proposal for reform bill incorporating feedback from the hearings
March 2007	Internal crisis within the government majority. The reform of the professions becomes less of a priority
	The start of the hearings keeps being delayed. Disappointment is expressed by representative of professions
	Antitrust Committee begins an investigation to ensure compliance of professions with newly reformed principles of conduct
March–June 2007	Hearings are held. Discordant opinions are expressed by professional associations and Ordini. Legal profession rejects the proposed reform and calls for a separate reform that would appreciate its distinctive role
June 2007	The representative of the legal profession (the NFC) defends the compliance of the profession with European legislation and denounces an attack on Italian legal institutions
July 2007	Scheduled hearings end. The government announces that after the summer break it will provide guidelines only.
	The legal profession, because of its peculiar role, is granted the self-reform. Satisfaction is expressed by representatives of the legal profession (NFC, AIGA, OUA, UCP). NFC coordinates the drafting of self-reform of the legal profession
February 2008	The government falls and new elections are scheduled for April. The reform process is suspended while the issue becomes a “hot” topic during the electoral campaign

associations’ documents, press releases, newsletters, and communications; media reports; and interviews with senior partners in business law firms (Table 2).

The first preliminary data search was conducted during the unfolding of the reform between 2006 and 2007 and aimed at collecting all the available documentary material concerning the reform of intellectual professions initiated by the Italian Government in 2006. We gathered the sequence of draft proposals publicly disclosed by the Minister of Justice and the European Commission as well as reports produced by the NFC, the EU, and the Antitrust Committee of the EU. We also searched news databases (Factiva) for relevant articles about the reform, and

Table 2. Empirical Data.

Document source	Document type	Number of documents	Years covered
Italian Government and its representatives	Decrees to implement EU directives and proposals for reform	14	From 1998 to 2009
European Union (EU)	EU Directives and Reports	4	2003-2005-2007-2008
Antitrust Authority	Inquiries on the implementation of the reform	4	1994-1997-2006-2007
National Forensic Council (NFC)	Official communications to members and newsletters	52	From 2006 to 2008
	Press releases	223	From 2006 to 2008
Other professional associations (e.g., CUP, COLAP, OUA, AIGA)	Public documents	32	From 2006 to 2008
	Press releases	73	From 2006 to 2008
Business lawyers	Interviews	6	2007
	Newspapers articles	38	From 2006 to 2008

targeted Italian economic and political newspapers not covered by databases. In parallel to this extensive data gathering to understand the unfolding of events of the reform we performed a more targeted search on the protagonist of the story, the NFC. We consulted the official NFC website, which contains an extensive section dedicated to present and archived press material and searched for archival material (printed and electronic). Data include speeches by elected NFC officials, press interviews, communications to members, conference presentations, and newsletters.

In the second round of data collection (conducted in 2008), we further extended the search process to include documentation about the reform produced after the main events had taken place. We progressively refined the search to identify and collect more specific documents and publications produced by the relevant set of actors in our historical narrative. In particular, it was fundamental to identify and capture the ongoing conversation between a relatively wider set of organizations, not just the focal actor (Lawrence, 1999). Thus, we integrated the previously collected documentary material with additional documents, representing the array of voices, interests, and positions.

At the same time, we had to define some boundaries to the number of actors included, to avoid the risk of tracking multiple “stories” and losing the more important ones. For example, we refined our search of data about the reform proposals drafted by the government after we became aware of the central role of the committee in the reform process. Similarly, we recognized the role of unofficial organizations representative of the legal profession—for example, the AIGA—and gathered additional documents to capture their role and extent of participation in the reform process.

We were able to assess the plausibility of our understanding of the events and triangulate our data by interviewing key informants, including six senior partners working in elite Italian business law firms. The interviews were conducted in 2008 as part of a wider research project about professional service firms; they were recorded and transcribed verbatim. We were able to discuss our chronology of events and ensure that we uncovered the most salient issues and provided a reasonable interpretation.

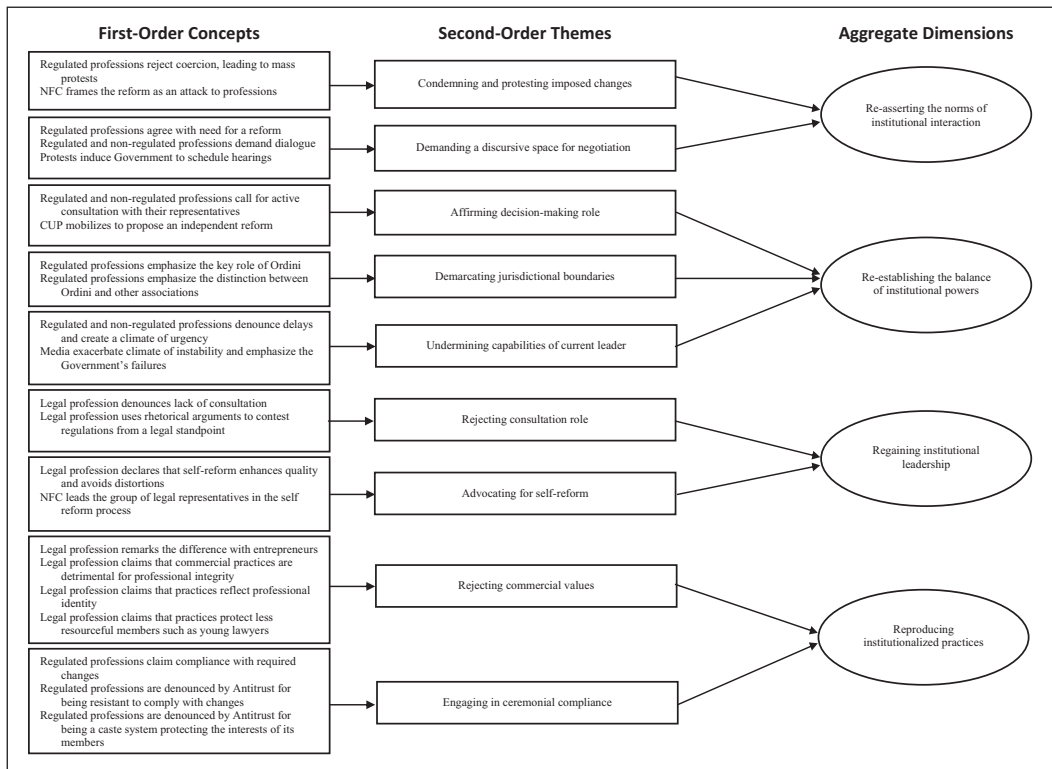


Figure 1. Data Structure.

Data analysis

The data analysis was carried out in four stages, following techniques for analyzing qualitative process data collected from heterogeneous sources (Gioia, Thomas, Clark, & Chittipeddi, 1994; Langley, 1999; Lincoln & Guba, 1985). We followed an analytical procedure based on the identification of clearly delineating themes and aggregate theoretical dimensions (Corley & Gioia, 2004; Gioia et al., 1994). Figure 1 shows the data structure and illustrates the first-order concepts and second-order themes generated by the analysis.

In the first stage, we aimed at generating an overall understanding of the key events through which the reform process unfolded (summarized in Table 1). As such, we elaborated a chronological narrative of organized raw data and identified a symbolic starting point (i.e., the EU pushing for a reform of professional sectors), milestone events (e.g., the start and conclusion of the hearings, the government crisis) and outcomes of the process under study (e.g., the fall of the government and new elections). We went through the narrative multiple times and divided it into shorter temporal segments to highlight the temporal sequence and relationship between separate events. The goal was to choose an adequate temporal granularity (e.g., months, weeks, days) that would enable us to comfortably capture the chain of actions and reactions. We then engaged in a data reduction exercise (Strauss & Corbin, 2007) and tentatively sorted the narrative using different conceptual categories—such as focal actor or protagonist of the extract (e.g., NFC, other professional associations, government), the issue discussed in the excerpt, or the “actions” carried out by those actors—with the purpose of identifying the most appropriate criteria to create our first-order concepts.

In the second stage, we compared and discussed the appropriateness of each criterion. We realized that actors positioned themselves differently as far as different issues were concerned, while maintaining a general attitude towards the reform (either supporting the reform or rejecting it). We therefore decided to use a composite criterion for aggregating raw data into a meaningful fashion, by defining sets of *temporary issues* embraced by groups of *temporarily allied actors*. For example, members of different professions unanimously reacted when confronted with an “imposed” reform by the Italian Government. We considered these professional associations as a group of temporarily allied actors engaging in demonstrative actions against the government. Similarly, we searched for and identified in the data the government’s responses to the mobilization of the professions. By identifying sets of issues at a point in time, discussed by a group of actors with the same underlying position toward those issues, we began to mentally visualize the protagonists and the antagonists of our story.

In the third stage of analysis, the authors engaged separately in first-order coding of the chronological narrative to verify the appropriateness of the proposed data-reduction criterion and its robustness. We examined the narrative throughout and moved back and forth between different sources of data (e.g., reform drafts, media report, press releases) in order to identify relevant actors, and to understand their institutional role and their position toward a certain issue. Comparison of coding between the two authors proved to be sufficiently reliable. Few incongruities were identified, and these were discussed until an agreement was reached.

Once the first-order coding was complete, we started the fourth stage of analysis and engaged in axial coding (Strauss & Corbin, 2007) to aggregate first-order concepts into second-order themes (Corley & Gioia, 2004). We examined the first-order concepts both individually and in sequence to uncover common themes and patterns of actions. In this phase we were looking for themes that could provide a more abstract description of the work associated with the issues identified in the previous phases. In the examination of the set of first-order concepts and the aggregation into broader themes, we were theoretically supported by the extant literature on institutional work. In particular, we compared our first-order concepts with forms of institutional work identified in the literature, such as valorizing and demonizing (Lawrence & Suddaby, 2006). We aimed at putting the work at the core and center of the analysis. As such, the process of abstraction was guided by the following guiding questions: What type of work is being done? What is the purpose (intentional) or the outcome (unintentional) of the work being done? For example, the second-order themes “condemning and protesting imposed change” and “demanding discursive space for negotiation” identify the form of work that professional associations engaged in to reverse the government’s decision to impose a regulatory change. As a result, professions were able to repair the “fracture” and restore consultation as a fundamental step in a reform process. Throughout the coding process we remained sensitive to the emergence of additional themes; our theoretical dimensions were constantly verified and refined until the conclusion of the analysis.

Findings

In this paper we explored how incumbent actors successfully “repair” disrupted institutional arrangements by reversing change and restoring the status quo. Our analysis reveals that regulated professions were able to repair the disruption caused by the government by engaging in work aimed at: (i) re-asserting the norms of institutional interaction; (ii) re-establishing the balance of institutional powers, (iii) regaining institutional leadership; and (iv) reproducing institutionalized practices. We present the results of our investigation by providing illustrative quotes that exemplify the repair process and these forms of work. Additional supporting evidence for our findings is shown in the Appendix.

Re-asserting the norms of institutional interaction

Under increasing scrutiny from the European Union, Italian politicians realized that the reform of professional services was necessary, urgent, and could not be delayed any longer. Although the reform was not a new issue, the world of professions was blindsided by the government's decision to approve a reform that was not negotiated with the representatives of professions. The idea that the government would bypass the confrontation with members of the professions and assume the right to control the reforming process was simply unacceptable. The situation was more critical than ever because the law had already been passed and there was no room for negotiation.

Our findings show that regulated professions focused their efforts on pressuring the Italian Government to step back from a coercive approach and consider a different way to reform professional services. In particular, representative of these professions claimed a breach of "procedural justice" and mobilized all professional categories—from lawyers to pharmacists to engineers—to protest against the government. The relatively unusual circumstances required professions to engage in a relatively unusual form of work, with protests in the streets and interruption of legal trials due to lawyers' strikes. Such initiatives were aimed at halting the change and forcing the government to re-assert the practice of negotiation and consultation with the professions as the legitimate and appropriate procedure prior to announcing any modifications to existing regulations.

The Table in the Appendix provides illustrations of the "work" that professions engaged in to achieve this goal. The second-order themes "condemning and protesting imposed changes" and "demanding a discursive space for negotiation" reveal the two-pronged mobilization strategy used. On one hand, the reform was framed not as a necessity (as the government claimed) but as an attack. The government was harshly criticized and its action regarded as an outrageous imposition and threat to the autonomy of the regulated professions. A media article covering news of the protests vividly illustrates this sentiment of anger and disbelief:

The hot temperatures of this Roman October have not dissuaded lawyers to give up their ties, accountants their suits and pharmacists their white coats. They are the "professionals" as they call themselves. Those who "produce" considered themselves victims of Bersani's liberalizations—"myopic but targeted, demagogic and propagandistic". (*Italia Oggi*, October 13, 2006)

Professional associations incited their members to express their dissent to the Italian Government. The President of the NFC, for example, made this point clear by stating:

We give the organizations here represented the permission to strongly manifest their opposition to the reform, using all the actions of protest considered necessary. (NFC President, *Il Sole 24 Ore*, October 20, 2006)

On the other hand, professionals and their associations did not just resist the changes by protesting and condemning the decisions of the government. They were aware that, should the government decide on even more aggressive coercive actions, e.g., monitoring and policing compliance with the new rules, the professions could hardly afford further resistance and had little chance to reestablish consensus and negotiation as the fundamental principle underpinning reforming processes. For example, a few days after the protests the president of the NFC emphasized the willingness of the legal profession to "talk" about the reform with the government and the importance of cooperation. The NFC, in particular, is an organization that typically works in close collaboration with the government. Although officially having a consultative role, the NFC performs an important judicial function when a superior opinion is requested on disciplinary matters. The legal profession, therefore, was particularly concerned that the denial of negotiation in matters of

reform would lead to a more substantial modification of the relationship between the NFC and the government.

The combination of fierce resistance and the proactive suggestion of opening a discursive space to discuss the issue proved to be successful. The norms of institutional interactions were reasserted. That is, the government agreed to retract the legislation and present to Parliament a new reform proposal. In particular, the appointment of a Committee to set up a schedule of hearings signaled to professions the willingness of the government to address their complaints and to reach an agreed-upon solution. As the Prime Minister stated:

The reform of Ordini is in the hands of the Minister of Justice. If we are here together talking is because we want a dialogue ... we needed to give a shake to the [professional] sector. (Prime Minister, *Il Sole 24 Ore*, October 13, 2006)

The success of professions in redirecting the course of action of the government and obtaining a conciliatory response to their resistance may be surprising. This outcome is more clearly understandable if we consider that the Italian Government was not in any political condition to use an iron fist when dealing with professions. Destabilized by the opposition of the professions and under pressure to demonstrate compliance with the EU's guidelines, the government needed to quickly neutralize the protests. Its response to the professions, therefore, emphasized the importance of involving professional constituents in the negotiation process. However, it also expressed its firm intention to maintain control of the reform process. All professions would have been heard and their opinions taken into account when drafting a new document. That being said, professional practices would have been reformed and a certain degree of compromise was expected by their representatives. As one spokesman for the committee put it:

The proposal of the Government is a good starting point. It represents the outcome of a long thinking process that has finally come together in a balanced synthesis. The Government has no intention whatsoever to fuel arguments with Ordini and other members of the professions. We ask these representatives, on the contrary, to assume not only the role of "ferryman" but also leaders in the process of consolidating the new arrangement of the professions ... We are willing to compromise. The reform will represent a hard test to assess whether the declarations of willingness to finally get the reform done are true or not. (Committee Speaker, *Il Sole 24 Ore*, January 23, 2007)

At this stage, the regulated professions had not yet regained control of the reform process. The possibility of participating in the negotiation was seemingly a concession that the government was giving. The government ensured that it retained the power to control who would be accorded the opportunity to express their dissent, when the hearings would be held, and how much time would be set aside to address the concerns of professions and quieten down the protest. As this quote from another spokesman for the committee suggests, the government was expecting minor changes to the reform document:

Now we will try to solve controversial issues, such as minimum fees, corporate organizational forms for professional services and so on. That being said, we will not twist too much what has been proposed by the Government in the last draft of the reform. (Committee Speaker, *Il Sole 24 Ore*, January 19, 2007)

Re-establishing the balance of institutional powers

Although selective, the list of organizations invited to discuss the reform was extensive. It included, among others, supporters of the reform, i.e., the Antitrust Authority, the European Committee for

Competition, representatives of regulated professions, i.e., CUP and NFC, and organizations representing non-regulated professions, i.e., COLAP. According to the government the purpose of the hearings was to collect feedback from various constituents potentially affected by the reform and to draft a new reform document to be presented to Parliament. However, enabling professional associations to provide comments on the matter and voice their discordant opinions was like opening Pandora's box; the government "opened" a negotiation table with professions, which proved to be a particularly challenging task, with critical unintended consequences.

The second-order themes "affirming decision-making role," "demarcating jurisdictional boundaries," and "undermining capabilities of current leader" reveal how the regulated professions—led by the CUP—were able to re-establish the balance of institutional powers between the government and the professions. More specifically, the CUP—as the representative of the regulated professions organized in Ordini—engaged in effortful work to convince the government that (i) the autonomy of professions in matters of reform should have been reinstated. By doing so, regulated professions aimed at regaining their role as primary provider of normative guidelines for professionals and neutralizing the threat of being overpowered by the state; and (ii) the separation between regulated and non-regulated professions should have been reaffirmed. By doing so, regulated professions aimed at reversing the decision of the government to consider all professions (regulated and non-regulated) equally and therefore endangered the privileged position of the CUP and NFC compared to other associations. When admitted to the hearings, the CUP immediately expressed strong criticisms of the government's reform. Here is how the news reported on the post-hearing reactions:

Disenchantment and to some extent skepticism ... That's how the top representatives of professions organized in Ordini received the proposal of the Government for the reform of the professional sectors. Sentiments, however, intertwined with the awareness that the reform is unavoidable. (*Italia Oggi*, 12 February 2007)

In contrast, representatives of non-regulated professions strongly supported the reform, in the hope of helping their members to move from the peripheral position they occupy in the current system. Constituents such as COLAP aimed at using the hearings to exert pressure on the government and obtain the long-awaited recognition of their professional associations. COLAP President, Giuseppe Lupoi, declared:

COLAP will strongly support the reform proposed by the Minister of Justice, Mastella. Our main goal is to obtain as soon as possible the acknowledgment of professional associations. We do not aim at fighting Ordini but at creating a synergic dual system. (*Il Sole 24 Ore*, February 6, 2006)

The reference to a dual system suggests that the recognition of non-regulated professions requested by COLAP was not intended to diminish or overlap with the activities of Ordini. Representatives of regulated professions, however, were particularly concerned by the influence that non-regulated professions might have had in shaping the reform process. On several occasions, the CUP emphasized the key role of Ordini and the potential danger of confusing Ordini and associations (see illustrations in Appendix on the theme "demarcating jurisdictional boundaries"). Within a few weeks of the start of the hearings, the CUP had the opportunity to further emphasize this separation and affirm its decision-making role by mobilizing its members to propose an independent reform to Parliament.

At this stage, the Italian Government was internally fragmented and in the midst of a legitimacy crisis. Not only was the government experiencing turmoil and ferment in the Houses of Parliament—a crisis that almost led to the fall of the government—but internal disagreements around the proposed reform document began to emerge:

The draft of the Government for the reform of the professions has been officially presented. However, the path towards the reform in the professional sector—characterized by sensible and divergent interests—looks very challenging. Not only does the reform affect several actors, but the public interest is also at play. It is suffice to say that the Mastella decree has spurred a behind-the scene tug-of-war within the Government between those who are determined to liberalize the professions and those who are more inclined to compromise. (*Il Sole 24 Ore*, February 13, 2007)

As a result, delays began to accumulate and the pace of the hearings significantly slowed down. The government was increasingly attacked as being too fragile to lead the reform process, thus providing the CUP with the evidence that the reform should have been remained a prerogative of the regulated professions. Professional organizations once willing to back the reform (i.e., COLAP) saw their efforts frustrated and left the hearings disillusioned. Over the following weeks, the CUP continued to promote autonomous initiatives and collection of signatures to be directly submitted to Parliament. The following quote illustrates the tension between the professional associations and the government:

Reform of the professions: a signature war. Once again, the world of professions is in ferment. Because parliamentary procedures are slow at the moment, Ordini and associations are mobilizing to let their voices be heard. On one side, CUP has started to mobilize to gather signatures for the presentation to the Government of a people's proposal. On the other side, COLAP has been sending thousands of faxes to the President of the Lower House to speed up parliamentary procedures of the Mastella decree. (*Italia Oggi*, April 11, 2007)

The several calls to the government to accelerate the pace of the hearings were internally echoed by the attempts of the committee to keep the momentum going and give priority to the reform process. The following quote illustrates how the government responded to the climate of disillusion evoked by the media and professional associations.

Yes, we are running late with the reform. I am worried. Our goal was to hit the ground running in February and March. On the contrary we are still at the start line. There is always a different reason to put the reform off. It is clear now that we are running late. To solve this problem I suggested scheduling hearings twice a week instead of once a week. I guarantee that the delay is for technical, not political reasons. The Government is determined to finish up the reform. Yes, the dragging along of the reform is beginning to worry all the experts. (Committee Speaker, *Italia Oggi*, March 16, 2007)

The government also called for temperance, with a blending of reassurance and authoritative reprimand to confront the recurring attempts by the CUP to undermine its capability to lead the reform process:

"I wish the discussion around the reform of the profession will be characterized by temperance." The initiative started by CUP—says Mantini—is at least ambiguous. "We have been always willing to dialogue with CUP. In contrast, this initiative creates a climate of social conflict that most likely will not be beneficial to professions. I encourage CUP to save their contribution for the discussion held within appropriate institutional arenas and not to take it to the streets." (*Italia Oggi*, March 2, 2007)

Despite the government's attempt to demonstrate leadership in such critical circumstances, tensions between the professions and the government continued to flare up. The government failed to convince the professions that it possessed the requisite leadership ability or the strength to reconcile the multiple discordant opinions about the reform. Its role as leader of the reform

process was definitely compromised when the NFC—last but not least—made its appearance to the hearings.

Regaining institutional leadership

On March 29, 2007, the NFC was admitted to the hearings to provide its evaluation of the reform proposed by the government. This event was highly anticipated and, in effect, the appearance of the supreme representative of the legal profession represented a turning point in the reform process initiated by the government. The last hearing turned out to be the death blow for the reform process. Our analysis reveals that the legal profession led by the NFC was able to regain institutional leadership by forcing the government (i) to abandon the “one-size-fits-all” approach to reform of the professions and initiate instead separate conversations and negotiation tables with representatives of professional organizations and (ii) to re-assert the distinctiveness of the legal profession by allowing legal professional associations to elaborate a separate self-reform, independent from the controlling influence of the state.

The opposition of the legal profession towards the approach of the government was not a mystery. A few days before the date of the hearing, NFC President Guido Alpa attended the inauguration of the new judiciary year and, in the presence of the Minister of Justice, Mastella, defined the previous year as an *annus horribilis*, a horrible year for the Italian professions. The members of the committee anticipated that the hearing would have been “a wrestling match” and the NFC would have used any arguments to force the government to concede. The tension that surrounded the meeting is nicely illustrated by this excerpt from the press:

The reform of the professions proposed by the Minister of Justice, Mastella, is on trial. In these circumstances, lawyers are in the position of accusers instead of their traditional role of defenders. It is scheduled for today the hearing of the NFC at the Committee of the Lower House. (*Italia Oggi*, March 29, 2007)

Our second-order themes show that representatives of the legal profession engaged in two forms of work to achieve their goals: “rejecting consultation role” and “advocating for self-reform”. Lawyers strongly rejected the proposal elaborated by Minister of Justice Mastella and appealed to their favorite weapon—rhetoric—to disarm the government’s arguments. Representatives of the legal profession did not show any willingness to negotiate or offer the government any possibility of compromise. Not only did the NFC endorse the argument previously made by the CUP that the prerogatives of Ordini should not be modified to accommodate the requests of non-regulated professions; it also advanced more demanding requests, such as that the special status of the legal profession would be reinstated and the NFC would be allowed to coordinate an independent reform process. Our data reveals that, once again, the NFC and legal professional associations used a two-pronged approach to resist the pressure of the government and push their own solution. On one hand, they relentlessly rejected any sort of consultation role or compromise, e.g., collaborating in the elaboration of an agreed-upon document or flexibly adapting their functions; on the other hand, they offered an alternative approach, i.e., to elaborate their own reform document, with the promise of safeguarding fundamental constitutional rights:

NFC is tearing apart the proposed reform of professions elaborated by the Government invoking the lack of juridical coherence; at the same time, another group of lawyers (criminal lawyers) are pressing the Parliament to remove the legal profession from the legislative measure. According to their representative, “the specificity of the legal profession should be defended. The activity of lawyers is unique, because it is

fundamental to guarantee citizens' rights and freedom. Therefore, a distinct reform should be elaborated." This position is clearly in disagreement with the unitary approach being currently pursued by the Government. (*Italia Oggi*, April 5, 2007)

The government did not have many options to choose from. The initial skepticism towards the hearings had progressively turned into disappointment and later on open hostility toward the government. The following excerpt illustrates this sentiment:

It took two months for just four hearings to take place. The next one, scheduled for May 31, will be held 15 days after the previous one. This reveals that the reorganization of the professional sector is no longer a priority for the Government. In July, Bersani's attempt to introduce liberalizations signaled that the reform was urgent. However, after the approval of the Mastella decree in December, the reform has progressed at a very slow pace. To the point that COLAP, initially a strenuous supporter of the decree, is starting to lose confidence. The effort to collect 35,000 signatures to speed up the approval of the reform now seems a waste of time. (*Italia Oggi*, 16 May 2007)

The hearings were intended to provide a discursive space where the hoped-for compromise between conflicting perspectives could be reached. Unexpectedly, they failed. Further, they even contributed to undermining the legitimacy of the government as leader of the reform process and, more generally, of the nation. Importantly, we found that the complete lack of endorsement of the reform by influential professional constituents such as the CUP and NFC played a key role in weakening the government's leadership and hampering the reform process.

Between June and July 2007, the government agreed to substantially step back and delegate the reform back to the professions. Representatives of the government framed the concerns of regulated professions as "reasonable" and buttressed the option to limit their involvement to few guiding principles. As the committee stated:

The Government is willing to alter the proposed draft of reform of the profession in order to drastically reduce delegation to the Government. Mantini declared "it is our firm belief that setting some broad principles (and delegating to each profession the specific implementation) is the most effective way to proceed. Delegation to the Government is typically scary (for professions) and this new arrangement is also more effective time-wise." (Mantini, *Italia Oggi*, June 1, 2007)

Representatives of the non-regulated professions lost their chance to see their role and position officially acknowledged. Conversely, the legal profession regained the special status position it claimed, as it was granted the right to proceed to a separate reform, to be led by the NFC and negotiated with lawyers' representatives.

Lawyers towards an *ad hoc* reform: yesterday the Justice Committee in the Upper House declared its intention to proceed with a separate reform for the legal profession. As previously suggested by the Minister of Justice, Mastella, the redesign of the rules and norms regulating the legal profession will be separated from the broader reform under discussion. Legal associations are satisfied. AIGA President declared: "since the beginning the representatives of legal associations have manifested the need for a separate reform. There is a positive climate now, to proceed with a reform more coherent with the need of lawyers, and more important, all citizens." (*Italia Oggi*, January 11, 2008)

Reproducing institutionalized practices

The findings reported so far illustrate how professional associations worked to repair the *process* of reform, disrupted by the assertive intervention of the government to impose a regulatory change

without consultation. Our last set of results illustrates how representatives of the legal profession simultaneously worked to contain the disruption in the professional *practices* that the new regulation imposed. In effect, most of the efforts of the NFC were aimed at regaining the leadership of the reform process—a much more powerful strategy to reverse change and restore the status quo. However, super-national organizations such as the EU and the Antitrust Authority were exerting pressure, thus eliciting professions' reaction to simultaneously defend institutionalized practices. We captured this form of work in our second-order themes “rejecting commercial values” and “engaging in ceremonial compliance”. Illustrative data in this section and the Appendix show how the legal profession and the NFC strenuously implemented resistance strategies aimed at minimizing the damage, i.e., the impact of the regulatory changes on professional practices.

In 2006, when the Bersani decree was brought into law, professional associations strongly manifested their opposition to the commercial orientation that the government allegedly had in its approach to reforming the professions. In particular, legal associations emphasized the need to protect and preserve the integrity of the professions, endangered by the alleged distortions introduced by commercial practices. For example, the NFC abhorred the abrogation of practices such as minimum and maximum fees, because it would have triggered price negotiations between professionals and clients. The relationship between professionals and clients was perceived as profoundly different from economic transactions occurring in entrepreneurial business (and in the abhorred Anglo-Saxon professional model). As the President of the NFC declared:

By being insistently compared to entrepreneurs, a real aggression has been perpetrated against professionals. The suggested reform provides a mercantilist view of the profession and aims at transforming all lawyers into ravenous executors of the dictates of powerful economic forces, dehumanized by a boundless competition. (Guido Alpa, NFC President, *Il Sole 24 Ore*, March, 15 2007)

A second, related argument portrayed by legal associations was that setting a maximum and minimum cap to lawyers' fees protected relatively less resourceful members entering the profession, such as young lawyers. AIGA (the association representing young lawyers), for example, pointed to the asymmetry of power between large clients and young professionals and the need of inexperienced professionals to resist the aggression of much larger and resourceful players. In the words of the AIGA President:

There is an incontestable asymmetry of power between young professionals and large powerful clients, e.g., banks and insurance companies. These clients lower costs, especially for ordinary litigation matters, and tend to pay lawyers an amount which is 20–25% lower than the minimum fees. The abolition of these protections in salary, therefore, would leave these professionals completely exposed to the unfair behaviors of those clients, being professional unable to protect themselves against the “aggression” of stronger actors. (AIGA President, *Italia Oggi*, November 9, 2006)

Nevertheless, legal professional associations also realized that they could not avoid complying with the new regulations. The European Committee and the Italian Antitrust Authority were extremely vigilant and planned to engage in a series of periodical controls to check that codes of conduct and professional norms would be modified in alignment to the regulation. The Antitrust Authority, in particular, acted as the representative of the interests of the EU in Italy. In this role, it engaged in a strenuous confrontation with the legal profession to ensure that legal practices were modified to comply with the approved regulations. In effect, Italian professional associations were accused of “ceremonial compliance,” that is, to seemingly modify their codes of conduct but in a way that revealed their subtle attempt to discourage competition and liberalization. As a result, these professions were put under scrutiny and even accused of not collaborating to protect their

interests as a powerful professional caste. An official communication by the Antitrust Authority bluntly stated:

The seeds of liberalization have difficulty to radicate in professional codes of conduct. Several Ordini have retained dispositions aimed at constraining the economic behaviors of their members in terms of prices and advertising of professional activities. The notion of decorum (“integrity”) is evoked to justify the use of practices—such as minimum fees—which are clearly aimed at limiting competitive dynamics at the expense of customers. The legal code for example still comprises norms such as the “prohibition to secure clients” which intimate a negative connotation of the value of competition and not, on the contrary, as a fundamental carrier of innovation. What is evoked as integrity is in effect an attempt to obtrude the economic activity of the country. (Antitrust Authority, *Il Sole 24 Ore*, March 9, 2007)

Such imagery of a legal sector paralyzed by conservative and short-sighted institutional representatives also emerged from the members of an elite professional niche, that is, lawyers in business law firms. Managers of national law firms did not consider themselves or their firms adequately represented by associations such as the NFC. As a partner of one leading law firm declared, those practices that the NFC strenuously defended were hardly used in the day-by-day activities of professionals.

We do not consider competition a problem but an opportunity. Competition is already extremely high for the high end of professional services. Firms use beauty parades to select their advisors and they are very selective. Only those players who can provide high quality services and fair prices can successfully compete in such a market. NFC should therefore ensure that professionals entering the profession are able to match the high standards required in order to improve the quality of the whole professional category. (Gianni Origoni law firm, *Corriere Economia*, April 7, 2008)

While protecting those practices seemed to provide no benefits for some professionals, they were portrayed as the symbols of the institutional power the NFC was trying to protect. In response, the NFC emphasized how the Antitrust Authority invaded the autonomy of legitimate professional organizations (i.e., Ordini), while the EU “obstinately” attacked Italian professions, despite their purported compliance with European standards and regulations.

The Italian code of conduct—which represents the primary source of norms for the profession—is absolutely coherent with the guidelines offered by the Bersani Decree. NFC is openly collaborating with the Antitrust Authority and supporting its inquiry into professional codes of conduct. That being said, the Authority is not entitled to invade the domain of Ordini. Moreover, adhering to an Anglo-Saxon professional model is an ideological position. Professional firms are not enterprises. Therefore, the changes we made are considered adequate to the legislation. (Guido Alpa, NFC President, *Il Sole 24 Ore*, June 19, 2007)

Interestingly, the NFC demanded that the Italian Government intervene in defence of the legal profession against the attacks of the European Union. President Alpa asked the government “to resist and to oppose such interference [by the EU] in national matters.” However, the Italian Government, caught in the middle, diplomatically avoided taking on the role of mediator between the EU and NFC. Given these circumstances, the “energy” with which the NFC fought to regain control over the reform process is not surprising. The NFC was particularly aware that, should the legal profession be able to regain the leadership, endangered professional practices would have been easily re-established. In effect, with the government stepping aside, the NFC reconstituted previous institutional arrangements. Its authority was strengthened and radical changes to professional practices hampered. As described earlier, minimum fees were reintroduced, contingency

fees abolished, and advertising restricted to information about the execution of professional services, forcibly regulated by the professional codes.

Discussion: Repair Work and Institutional Maintenance

This paper contributes to the growing literature on institutional work, and the broader understanding of institutional maintenance, by investigating a case study of maintenance work in a professional setting in Italy. The resolute decision by the Italian Government to enact a regulation that profoundly reformed professional services disrupted the institutional arrangements underpinning Italian professionalism. Our longitudinal in-depth case study illustrates how the highly influential representatives of regulated professions—the NFC and CUP—were able to regain the privilege to self-regulate and reassert the special status of the legal profession.

We contribute to the burgeoning literature on institutional work and institutional maintenance (Currie et al., 2012; Dacin et al., 2010; Lawrence et al., 2009, 2011; Lok & de Rond, 2013; Sminia, 2011) by proposing a novel conceptualization of institutional maintenance as an active process of repair and identifying a novel form of maintenance work, namely *repair work*, that enables the disruption of institutional arrangements to be reversed and the status quo to be re-established. Our study builds upon extant research that problematizes the notion of institutional maintenance as the uncontested, “silent,” reproduction of taken-for-granted institutional arrangements (Currie et al., 2012; Lawrence et al., 2011; Rojas, 2010) and advances knowledge on institutional maintenance in two ways.

First, we extend existing conceptualizations of maintenance as preservation and reinforcement of existing institutional arrangements (Lawrence & Suddaby, 2006; Quinn Trank & Washington, 2009; Zilber, 2009) by showing an extreme case where powerful incumbent agents have successfully carried out institutional work to repair institutional arrangements that have been disrupted. In particular, we suggest that repair work: (1) is *triggered* by a disruption in existing institutional arrangements that is critical and alters institutional arrangements at the core; (2) is *enabled* by the social position of incumbents, who need to have both the opportunity and the willingness to creatively respond to the disruption; and (3) is *contingent upon* the criticality of the disruption, thus urging incumbents to reject adaptation as a solution and instead actively work to restore the status quo.

In our context, Italian professions have engaged in the resisting institutional work of preserving and reinforcing institutionalized practices, norms, and beliefs for decades. In effect, the persistence of the model of Italian professionalism is a testament to the ability of professional associations to preserve and reinforce the institutional status quo (Micelotta, 2010), despite increasing globalization of professional sectors (Faulconbridge & Muzio, 2012). The “shocking” move of the government—triggered by the intervention of the EU—disrupted such arrangement. Professions were deprived of their ability to resist threats and prevent change by using forms of work such as deterrence, demonizing, and policing (Dacin et al., 2010; Lawrence & Suddaby, 2006; Quinn Trank & Washington, 2009; Zietsma & Lawrence, 2010).

Additionally, the reform enacted by the government affected the professions profoundly, depriving them of their privilege to self-regulate and threatening their autonomy. The foreseen changes were so undesirable that professions were urged to engage in purposeful and effortful action to oppose the disruption. Our study reveals that in these circumstances maintenance work is aimed at repairing, rather than reinforcing, protecting, and preserving institutional arrangements. In addition to finding evidence of resistance (reproducing institutionalized practices), we also found three different types of work that contributed to the repair of the disrupted institutional

arrangement—reasserting the norms of institutional interaction, re-establishing the balance of institutional powers and regaining institutional leadership. Thus, our study speaks to a growing body of scholarship that examines how actors do not maintain institutions only by reinforcing their foundations and resisting change, but actively and creatively respond to divergences from the status quo by “(re)generating and (re)creating institutional arrangements” (Currie et al., 2012, p. 958).

We add to this body of scholarship that examines institutional work aimed at adjusting and adapting to inflected institutional arrangements, such as containing or restoring work (Currie et al., 2012; Lok & de Rond, 2013), by examining work carried out by actors who not only are in the position, e.g., have opportunity and power, to resist change but aim at repairing the institution rather than adapt their practices to inflected arrangements. In contrast to Currie et al.’s (2012) and Lok and de Rond’s (2013) cases, where elite professionals and boat team coaches worked to preserve the structural integrity of the institution by incorporating novel practices, “adapting” was not an acceptable outcome for Italian professions. In principle, the hearings provided the NFC with the opportunity to negotiate by offering an appropriate discursive space where an agreement between the regulated professions and the government could have been achieved. The fierce opposition to any form of compromise (with respect to the institutional arrangement of self-regulation) by the regulated professional associations reveals that repair, and not restoration, was the outcome that regulated professions strenuously sought. In effect, even if the government had successfully negotiated a modification to the institutional script with representatives of regulated professions, e.g., a smoother shift towards liberalization of professions or the concession of a more salient role in the decision process, professional representatives would have continued to fight in order to regain the most important of their privileges, i.e., the ability to self-regulate. Our study suggests that the institutional work actors engage in is enabled by their social position and power. However, it also shows that the extent to which incumbents perceive the disruption as critical influences the type of work they will be willing to engage in to preserve their social position and status.

Second, our study contributes to offering a more nuanced understanding of how elite professions respond to external threats and disruptions (Currie et al., 2012; Scott, 2008). In particular, our illustration of repair work reveals that professions’ response to the disruption differs depending upon the “target” of the repair process. Our findings show that regulated professions engaged in both forms of work targeted at repairing the breach of procedural justice, i.e., how the reform was conducted, and forms of work targeted at simply resisting the content of the reform, i.e., the change in professional practices. As our data show, the NFC engaged in various forms of work such as “rejecting commercial values” and “engaging in ceremonial compliance” aimed at responding to the “attacks” of the EU and the Antitrust Authority. While important to signal to the EU, the government, and members of the professions the strenuous resistance of the NFC to any attempts to undermine their authority, such rhetorical tactics were not specifically targeted at reversing the change but more at “resisting” until the battle on the process front was won.

Critically, it was the contestation of the procedural legitimacy of the reform that forced the opening of a negotiation table with the government and, eventually, led to the re-establishment of the status quo. We found that in the three forms of repair work aimed at “re-asserting the norms of institutional interaction”, “re-establishing the balance of institutional powers” and “regaining institutional leadership”, professions engaged in a two-pronged effortful action. On one hand, they strenuously resisted the change that was proposed by the government, for example, by protesting in the streets or rejecting a consultation role during the hearings. On the other hand, they creatively and aggressively responded, by demanding the hearings and pushing their own independent reform. One important implication of these findings is that resistance may be a necessary but not sufficient condition for institutional arrangements to be successfully repaired. In other words, the concept of

repair implies that incumbents will engage in resistance when threatened, but will use different types of strategies to re-establish the status quo when such arrangements are disrupted.

Conclusions

In this paper we investigated the question of how incumbent actors successfully repair disrupted institutional arrangements, that is, reverse change and re-establish the status quo. Theorizing institutional maintenance as a process of repair offers a more nuanced understanding of the mechanisms underpinning institutional stability and persistence and extends knowledge on how institutions are preserved and/or restored after a disruption. Although a promising start, our study has important limitations. As with any case study research, our findings are drawn from a single example in a specific context and therefore may not be representative of more general phenomena (Siggelkow, 2007). While this case presents inevitable idiosyncrasies, we have discussed how our findings are theoretically relevant and thus enable generalizations spanning other professions and professional associations and disruptions at different levels of analysis, e.g., from changes in regulations that affect entire fields to more bounded cases of introduction of novel practices and roles within individual organizations that threaten occupational jurisdictions.

Our study suggests three directions for future research. First, scholars could extend our findings by unpacking the concept of repair work further. For example, we have shown a success story, where powerful incumbent agents were able to repair the disruption created by a regulatory change. The question that remains unanswered is: What are the limits and scope conditions of repair work? We can speculate that the success in conducting repair work might be contingent upon “what” is disrupted (e.g., regulations, norms or more deeply entrenched values and beliefs), or “who” is the reforming agent (e.g., a fragile government or a more powerful antagonist such as the EU). Also, the repair process entails different types of work that are to some extent interrelated. While previous studies have attempted to elaborate taxonomies of institutional work, e.g., reversing, self-correcting, disciplining (Lok & de Rond, 2013), defining, education, and theorizing (Currie et al., 2012), the extent to which these types of work are sequentially or temporally interconnected has been overlooked.

The three forms of work that emerge from our findings seem to indicate a sequential pattern and intimate that different types of work may build on one another and reinforce each other. To illustrate, the collective mobilization of professions succeeded at first in re-asserting the norms of institutional interaction by immediately contesting the reform and halting the disruption before it could reach a point where it would have been no longer reversible. The outcome of this first “step,” i.e., the victory in demanding the hearings, was essential to re-establish the balance of institutional powers; that is, forcing the government to “listen” to the professions enabled their powerful representatives to exacerbate the conflict and take advantage of the government’s increasingly fragile position. The work in which the CUP engaged during the hearings was essential later on to enable the NFC and the legal profession to regain institutional leadership of the reform process. Understanding whether different forms of institutional maintenance are more or less likely to present patterned sequences of actions is an interesting direction of research that our study suggests.

Second, future studies could identify other forms of work that enable institutional maintenance and therefore continue to build the lexicon of institutional maintenance in an effort to further shed light on this core tenet of institutional theory. We propose the novel concept of repair work to explain how incumbent actors are able to re-establish the status quo after a disruption occurs. However, institutional maintenance may entail work, not because institutions have been broken by a disruption but because they have been subject to decay from neglect. Much as bringing a beloved

car left unattended in a garage back to its former beauty requires patience and dedication, to maintain an institution suffering from decay and neglect may require different forms of work such as, for instance, “rebuild” work.

Third, our study suggests that to understand how institutions are maintained (Lawrence et al., 2011) scholars may need to conceptualize processes of repair, containment, and restoration as “dyadic” sets of actions, in which more than one agent is involved. Our paper primarily focuses on the purposeful and creative efforts of professional associations, i.e., the NFC and CUP. Our study also shows, however, that institutional repair work is contested as it entails acts of resistance, i.e., move, attack, and countermove. Hence, the presence of a protagonist of a repair work story (Pratt, 2009) implies the presence of an antagonist (in our case, the government) also engaging in institutional work. While the conceptual language of institutional work emphasizes the presence of multiple actors coming together and recursively interacting over many issues, much of the literature tends to focus on single key actors operating in a field. We think this is as much a limitation of the current conceptualization of organizational fields as it is a methodological issue with regard to how to display the interactions between these actors in a clear and concise way.

Our study intimates that maintaining dominance in an existing discursive space is importantly related to repair work and, more broadly, institutional maintenance. Within the current discursive turn in institutional studies (Hardy & Maguire, 2010; Maguire & Hardy, 2009; Phillips et al., 2004) scholars have shown how discourse shapes the creation and disruption of institutions. We suggest that an important link—yet to be explored—is the one between maintenance work and the construction, preservation, and recreation of discursive spaces, where actors articulate a vocabulary of tactics and engage in “institutional dialogue” (Gergen & Gergen, 2004; Lawrence & Suddaby, 2006).

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Note

1. The requirement that the relationship between professionals and clients should be based on personal trust still prevents Italian professionals from registering partnerships as legal entities distinct from individuals.

References

- Barley, S. R., & Tolbert, P. S. (1997). Institutionalization and structuration: Studying the links between action and institution. *Organization Studies*, 18, 93–117.
- Berger, P. L., & Luckmann, T. (1967). *The social construction of reality: A treatise in the sociology of knowledge* (pp. 55–65). New York: Doubleday.
- Corley, K. G., & Gioia, D. A. (2004). Identity ambiguity and change in the wake of a corporate spin-off. *Administrative Science Quarterly*, 49, 173–208.
- Currie, G., Lockett, A., Finn, R., Martin, G., & Waring, J. (2012). Institutional work to maintain professional power: recreating the model of medical professionalism. *Organization Studies*, 33, 937–962.

- Dacin, M. T., Goodstein, J., & Scott, W. R. (2002). Institutional theory and institutional change: Introduction to the special research forum. *Academy of Management Journal*, *45*, 43–56.
- Dacin, M. T., Munir, K., & Tracey, P. (2010). Formal dining at Cambridge colleges: Linking ritual performance and institutional maintenance. *Academy of Management Journal*, *53*, 1393–1418.
- DiMaggio, P. J., & Powell, W. W. (1983). The iron cage revisited: Institutional isomorphism and collective rationality in organizational fields. *American Sociological Review*, *48*, 147–160.
- Eisenhardt, K. M. (1989). Building theories from case study research. *Academy of Management Review*, *14*, 532–550.
- Eisenhardt, K. M., & Graebner, M. E. (2007). Theory building from cases: Opportunities and challenges. *Academy of Management Journal*, *50*, 25–32.
- Faulconbridge, J. R., & Muzio, D. (2012). Professions in a globalizing world: Towards a transnational sociology of the professions. *International Sociology*, *27*, 136–152.
- Fiorenza, C. (2009). La riforma della disciplina della professione tecnica. Retrieved from http://www.cnpa.eu/file/Fiorenza_80.pdf.
- Galvin, T. L. (2002). Examining institutional change: Evidence from the founding dynamics of US health care interest associations. *Academy of Management Journal*, *45*, 673–696.
- Gergen, K. J., & Gergen, M. M. (2004). *Social construction: Entering the dialogue*. Chagrin Falls, OH: Taos Institute Publications.
- Gioia, D. A., Thomas, J. B., Clark, S. M., & Chittipeddi, K. (1994). Symbolism and strategic change in academia: The dynamics of sensemaking and influence. *Organization Science*, *5*, 363–383.
- Greenwood, R., Hinings, C., & Suddaby, R. (2002). Theorizing change: The role of professional associations in the transformation of institutionalized fields. *Academy of Management Journal*, *45*, 58–80.
- Greenwood, R., Oliver, C., Sahlin-Andersson, K., & Suddaby, R. (2008). *The Sage handbook of organizational institutionalism*. SAGE Publications.
- Greenwood, R., & Suddaby, R. (2006). Institutional entrepreneurship in mature fields: The big five accounting firms. *Academy of Management Journal*, *49*, 27–48.
- Hardy, C., & Maguire, S. (2010). Discourse, field-configuring events, and change in organizations and institutional fields: Narratives of DDT and the Stockholm Convention. *Academy of Management Journal*, *53*, 1365–1392.
- Hoffman, A. J. (1999). Institutional evolution and change: Environmentalism and the US chemical industry. *Academy of Management Journal*, *42*, 351–371.
- Hwang, H., & Colyvas, J. A. (2011). Problematizing actors and institutions in institutional work. *Journal of Management Inquiry*, *20*, 62–66.
- Jarzabkowski, P., Matthiesen, J., van de Ven, A. (2008). Doing which work? A practice approach to institutional pluralism. In T. B. Lawrence, R. Suddaby, & B. Leca (Eds.), *Institutional work: Actors and agency in institutional studies of organizations* (pp. 284–316). Cambridge: Cambridge University Press.
- Jepperson, R. L. (1991). Institutions, institutional effects, and institutionalization. In W. W. Powell & P. J. DiMaggio (Eds.), *The new institutionalism in organizational analysis* (pp. 143–163). Chicago, IL: University of Chicago Press.
- Langley, A. (1999). Strategies for theorizing from process data. *Academy of Management Review*, *24*, 691–710.
- Lawrence, T. B. (1999). Institutional strategy. *Journal of Management*, *25*, 161–187.
- Lawrence, T. B., & Suddaby, R. (2006). Institutions and institutional work. In S. R. Clegg, C. Hardy, T. B. Lawrence, & W. R. Nord (Eds.), *Handbook of organization studies*, 2nd edition (pp. 215–254). London: SAGE Publications.
- Lawrence, T. B., Suddaby, R., & Leca, B. (2009). *Institutional work: Actors and agency in institutional studies of organizations*. Cambridge: Cambridge University Press.
- Lawrence, T. B., Suddaby, R., & Leca, B. (2011). Institutional work: Refocusing institutional studies of organization. *Journal of Management Inquiry*, *20*, 52–58.
- Leblebici, H., Salancik, G. R., Copay, A., & King, T. (1991). Institutional change and the transformation of interorganizational fields: An organizational history of the US radio broadcasting industry. *Administrative Science Quarterly*, *36*, 333–363.

- Lincoln, Y. S., & Guba, E. G. (1985). Establishing trustworthiness. *Naturalistic Inquiry*, 289–331.
- Lok, J., & de Rond, M. (2013). On the plasticity of institutions: Containing and restoring practice breakdowns at the Cambridge University Boat Club. *Academy of Management Journal*, 56, 185–207.
- Lounsbury, M. (2002). Institutional transformation and status mobility: The professionalization of the field of finance. *Academy of Management Journal*, 45, 255–266.
- Maguire, S., & Hardy, C. (2009). Discourse and deinstitutionalization: The decline of DDT. *Academy of Management Journal*, 52, 148–178.
- Micelotta, E. (2010). *Professional services firms between resistance and change: Business law firms in Italy*. Saarbrücken: Lambert Academic Publishing.
- Olgianti, V., & Pocar, V. (1988). The Italian legal profession: An institutional dilemma. In R. L. Abel & P. S. C. Lewis (Eds.), *Lawyers in society*. Berkeley: University of California Press.
- Pammolli, F., Cambini, C., & Giannaccari, A. (2007). Introduzione: Liberalizzazioni e concorrenza in Italia. In F. Pammolli, C. Cambini, & A. Giannaccari (Eds.), *Politiche di Liberalizzazione e concorrenza in Italia* (pp. 7–26). Rome, Italy: Il Mulino.
- Phillips, N., Lawrence, T. B., & Hardy, C. (2004). Discourse and institutions. *Academy of Management Review*, 29, 635–652.
- Pratt, M. G. (2009). From the editors. For the lack of a boilerplate: Tips on writing up (and reviewing) qualitative research. *Academy of Management Journal*, 52, 856–862.
- Quinn Trank, C., & Washington, M. (2009). Maintaining an institution in a contested organizational field: the work of AACSB and its constituents. In T. B. Lawrence, R. Suddaby, & B. Leca (Eds.), *Institutional work: Actors and agency in institutional studies of organizations* (pp. 236–261). Cambridge: Cambridge University Press.
- Rojas, F. (2010). Power through institutional work: Acquiring academic authority in the 1968 Third World strike. *Academy of Management Journal*, 53, 1263–1280.
- Scott, W. R. (2008). Lords of the dance: Professionals as institutional agents. *Organization Studies*, 29, 219–238.
- Seo, M. G., & Creed, W. E. D. (2002). Institutional contradictions, praxis, and institutional change: A dialectical perspective. *Academy of Management Review*, 27, 222–247.
- Sereni, A. P. (1949). The legal profession in Italy. *Harvard Law Review*, 63, 1000.
- Siggelkow, N. (2007). Persuasion with case studies. *Academy of Management Journal*, 50, 20–24.
- Sminia, H. (2011). Institutional continuity and the Dutch construction industry fiddle. *Organization Studies*, 32, 1559–1585.
- Sterlacchini, A. (2002). La regolamentazione delle professioni in Italia: Evidenze empiriche e proposte di modifica. *L'industria*, 4, 745–770.
- Strauss, A., & Corbin, J. (2007). *Basics of qualitative research: Techniques and procedures for developing grounded theory*. Thousand Oaks: SAGE Publications.
- Suddaby, R., & Greenwood, R. (2005). Rhetorical strategies of legitimacy. *Administrative Science Quarterly*, 50, 35–67.
- Suddaby, R., & Viale, T. (2011). Professionals and field-level change: Institutional work and the professional project. *Current Sociology*, 59, 423–442.
- Thornton, P. H., & Ocasio, W. (1999). Institutional logics and the historical contingency of power in organizations: Executive succession in the higher education publishing industry, 1958–1990. *American Journal of Sociology*, 105, 801–843.
- Townley, B. (1997). The institutional logic of performance appraisal. *Organization Studies*, 18, 261–285.
- Yin, R. K. (2008). *Case study research: Design and methods* (Vol. 5). London: SAGE Publications.
- Zietsma, C., & Lawrence, T. B. (2010). Institutional work in the transformation of an organizational field: The interplay of boundary work and practice work. *Administrative Science Quarterly*, 55, 189–221.
- Zilber, T. B. (2002). Institutionalization as an interplay between actions, meanings, and actors: The case of a rape crisis center in Israel. *Academy of Management Journal*, 45, 234–254.
- Zilber, T. B. (2009). Institutional maintenance as narrative acts. In T. B. Lawrence, R. Suddaby, & B. Leca (Eds.), *Institutional work: Actors and agency in institutional studies of organizations* (pp. 205–235). Cambridge: Cambridge University Press.

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Appendix. Dimensions, Themes, Concepts, and Illustrative Data.

Themes and concepts	Representative quotations
Theme: Condemning and protesting imposed changes	
Regulated professions reject coercion, leading to mass protests	<p>A.1 Suits, ties, whistle, and banner. It was held yesterday morning in Rome: the first unitary procession of the professions that the Italian Republic has ever seen. A production sector of 1.8 million employees. The row has been sparked off by the Bersani decree. The decree in June has accelerated the reform of the professions by abolishing minimum fees, the ban on advertising and opening the doors to corporate organizational forms for professional services. The decree has also introduced fiscal norms regarded as penalizing and criminalizing. (<i>Italia Oggi</i>, Oct 13, 2006)</p> <p>A.2 The creeping fear among members of the professions is that the government is driven by an ideological prejudice towards lawyers, architects, doctors, labor consultants and so on and that this will be only the first step toward the dismantling of Ordini. (<i>Italia Oggi</i>, Oct 13, 2006)</p>
NFC frames the reform as an attack on professions	<p>A.3 Lawyers are talking openly of attack against their profession when referring to the new attack launched by the EU Committee on professional fees. Commissioner McCreevy has written a letter to the Italian Government asking for the removal of maximum fees within two months. If this will not be done, the EU will bring the Italian case to the Court of Justice. "Such a fierce attack has no precedence"—commented NFC President Guido Alpa. Many other European countries use similar practices as far as professional services are concerned. Alpa is also dismayed because the Court of Justice has approved such maximum fees before (2001 and 2006). Alpa is asking the Italian Government to resist and to oppose such interference in national matters. (<i>Corriere Economia</i>, Apr 5, 2008)</p>

(Continued)

Appendix. (Continued)

Themes and concepts	Representative quotations
<p>Theme: Demanding a discursive space for negotiation</p> <p>Regulated professions agree with need for reform</p>	<p>B.1 The manifestation has shown to citizens, political parties, the Parliament and the government the willingness of the world of professions to bring to conclusion the confrontation upon the reform of the professions through the elaboration of a proposal shared by all the parties involved. (President CUP, <i>Il Sole 24 Ore</i>, Oct 1, 2006)</p> <p>B.2 Praise to the government for the effort spent to solve the “issue” of the professions. Also an invitation to speed this process up because the attention for the Mastella decree is already fading away. According to the President of ANCIT, the association representing tax consultants: “the world of professions keeps being in ferment. In order for this situation not to degenerate with counterproductive consequences all the involved parties should collaborate. Showing stubbornness in favor of some positions might suggest strength but it rarely produces satisfactory results in the long term.” (ANCIT President, <i>Italia Oggi</i>, Jan 11, 2007)</p>
<p>Regulated and non-regulated professions demand dialogue</p>	<p>B.3 NFC agrees that it is time to reform the professions, but this goal cannot be achieved with actions that put the profession itself at risk; its core principles should not be threatened. That being said, it is evident that we need to reach a compromise: the risk for the legal profession is of not being heard by the politicians, and therefore to have no voice and thus any possibility to change their decisions. (NFC President, <i>Il Sole 24 Ore</i>, Oct, 30, 2006)</p>
<p>Protests induce the government to schedule hearings</p>	<p>B.4 The reform has been waiting for the last 30 years and it is now more than necessary for the country itself. Not only does the reform address fundamental themes—such as the internationalization of Italian professional services and their centrality in the economic development of the country. It also represents a guarantee for both clients and young professionals. The proposed document represents a compromise between the concerns expressed by professional associations and ideological positions towards liberalization. We assure that consensus will be achieved among different interests through the use of the “concertazione” (i.e., consultation)</p>

Appendix. (Continued)

Themes and concepts	Representative quotations
<p>Theme: Affirming decision-making role Regulated and non-regulated professions call for active consultation with their representatives</p>	<p>process to approve a final version of the reform. (Mastella, Minister of Justice, <i>Il Sole 24 Ore</i>, Nov 25, 2006) B.5 The scheduled hearings will not last more than two months. This way the committee will be able to take into account in the parliamentary acts the positions of all the parties involved. We will hear from organizations such as Antitrust and then from Ordini and associations grouped into sectors. The goal is to speed up the process and to revise the existing document (Mastella decree). The existing document delegates too much to the government; we will try to get closer to the ideal solution that is always the one in the middle. (Pierluigi Mantini, speaker of Committee, <i>Il Sole 24 Ore</i>, Jan 30, 2007)</p> <p>C.1 Negative evaluation of the reform by the representatives of Ordini within CNEL. Four members of the Council pointed the finger at the little attention given to previous elaborations of reforms which “were agreed upon by the majority of actors within the system.” Additionally, the government is invited to “recover an approach based upon consultation and dialogue with representatives of the professions and to rectify a punitive framework towards intellectual professions that represent 2.7 millions of people and 15.8% of national GDP.” (<i>Italia Oggi</i>, Feb 7, 2007)</p>
<p>CUP mobilizes to propose an independent reform</p> <p>Theme: Demarcating jurisdictional boundaries Regulated professions emphasize the key role of Ordini</p>	<p>C.2 CUP President, Raffaele Sirica, has officially initiated a popular mobilization to collect 50 thousand signatures. This is the number needed to submit to the government a draft proposal for the reform of the professions. The mission should not be excessively difficult if one considers that CUP members are approximately 1.8 million. “The first impression is good— comments CUP—people are very worried and there is a strong desire to participate to the battle.” (<i>Italia Oggi</i>, Feb 28, 2007)</p>
	<p>D.1 We cannot renounce to the role of Ordini in regulating the professions. Ordini represent a victory of professional regulation, not the expression of an establishment. Only Ordini can ensure a legal and effective deontological check. Should Ordini disappear, professionals</p>

(Continued)

Appendix. (Continued)

 Themes and concepts

 Representative quotations

Regulated professions emphasize the distinction between Ordini and other associations

would be abandoned to their own resources. The least honest then might be able to take advantage of the lack of controls to perpetrate actions against the deontological code. On the contrary a non-regulated association is not able to ensure such control over professional behaviors. (Guido Alpa, NFC President, *Il Sole 24 Ore*, Feb 20, 2007)

D.2 The reform of the government creates ambiguity and confusion between regulated professions that are safeguarded by Ordini and other associations representing non-regulated professions. This crucial difference has been ignored so far and we will make sure that the committee will consider it in future discussions. (Guido Alpa, NFC, *Il Sole 24 Ore*, Feb 20, 2007)

Theme: Undermining capabilities of current leader

Regulated and non-regulated professions denounce delays and create a climate of urgency

E.1 COLAP has called on the government to accelerate the reform of the professions. Giuseppe Lupoi—coordinator of COLAP—declared: “The ritual of hearings was scheduled to start at the beginning of February; now they have been procrastinated to the following month. The number of people admitted to attend is growing day by day. If we keep going at this rate the reform is at risk of being delayed furthermore, with serious consequences for professional associations. For example, associations will not be able to be represented at important European tables of discussion scheduled in the Fall. (*Italia Oggi*, Mar 13, 2007)

Media exacerbate climate of instability and the government’s failures

E.2 The path towards the reform of the professions is far from being unclouded. First, there is the issue of the allegedly excessive degree of delegation given to the government in the Mastella decree. Second, there is the risk, emphasized by Ordini, that professions might overlap as a result of the acknowledgment of non-regulated professions. The major issue, however, seems to be the fracture within the body of the government around matters of foreign politics. As such, the reform of the professions might be shelved. Ordini do not dislike this scenario. In contrast, associations are extremely worried. (*Italia Oggi*, Feb 22, 2007)

Appendix. (Continued)

Themes and concepts	Representative quotations
	<p>E.3 The overlap between commitments of the Parliament and the government, the hectic political phase characterized by frantic events and instability, the waves of strikes in different sectors. All these elements have negatively affected the ability of the government to bring the reform to fruition. In addition to the government, seemingly reluctant to openly dialogue with professions, the committee too seems to be unable to keep a regular schedule, procrastinating and delaying hearings with social constituents. (<i>Italia Oggi</i>, May 9, 2007)</p> <p>E.4 Someone is starting to be exasperated by the never-ending wait, not only the members of the professions. The Mastella decree was approved on Dec 1, 2006. Since then, more than three months have gone by. And nothing has happened. However, Pierluigi Mantini, speaker of the committee, has clear ideas on what should be done. He has had clear ideas for a long time now. This is the reason for the call Mantini sent to Capezzone (chair of the committee in charge of discussing the proposed amendment to the bill) “to speed up the reform of the professions. It is unacceptable to work harder to let a firm open in 7 days than to make hearings happen in 70 days.” (<i>Italia Oggi</i>, Feb 21, 2007)</p>
<p>Theme: Rejecting consultation role Legal profession denounces lack of consultation in the process</p>	<p>F.1 This government is responsible for a traumatic split with the legal profession. The legal profession was assured that it would have a leading role in the administration of justice. This made us think that the hopes for an acceptable renovation would have become reality. On the contrary, with the Bersani decree the reforms have been anticipated in a thoughtless manner without taking into account central issues and instead abolishing minimum fees and prohibition of advertising. It has been an <i>annus horribilis</i> for the legal profession. Institutional mobbing has been perpetrated towards members of the legal profession. NFC cannot be indifferent ... The most serious problem of the Mastella decree is that it creates confusion between professions, without taking into account the specificities of each one. (Guido Alpa, NFC President, <i>Italia Oggi</i>, March 15, 2007)</p>

(Continued)

Appendix. (Continued)

Themes and concepts	Representative quotations
<p>Legal profession uses rhetorical argument to contest regulations from a legal standpoint</p>	<p>F.2 The proposal elaborated by the Minister of Justice Mastella has been strongly rejected by representatives of the legal profession. Despite protests and marches in the streets the document reached the Lower House. Consequently, lawyers changed their strategies and express dissents towards the reform using their favorite weapon: rhetoric. In particular, NFC has carefully examined the Mastella decree. Very few legal rules are not contested. Most of the proposed changes are accused of going against the national and European legislation or, in some cases, against the Constitution. (<i>Italia Oggi</i>, Mar 29, 2007)</p>
<p>Theme: Advocating for self-reform Legal profession declares that self-reform enhances quality and avoids distortions</p>	<p>G.1 The proposal of reform we submit to the Senate aims at interrupting a “deregulation” process that for decades has damaged the legal profession and in particular young lawyers. The goal of the reform, contrary to what the President of the Antitrust Authority states, is to let quality and merit prevail, by more strictly regulating the access to the profession and promoting continuous training. (OUA President, <i>Libertiamo</i>, April 2010)</p>
<p>NFC leads the group of legal representatives in the self-reform</p>	<p>G.2 After 70 years the reform of the legal profession is ready. This represents an epochal achievement for the members of the legal profession. As promised to the Minister, our proposal is the result of the unitary effort of all legal professional organizations. NFC, relying on its institutional role with powers to suggest a proposal to the government, has embarked on legislative drafting. We will submit this proposal to the government and we hope it will receive a quick approval by the Parliament. (Guido Alpa, NFC, <i>Il Sole 24 Ore</i>, Feb, 25, 2009)</p>
<p>Theme: Rejecting commercial values Legal profession remarks the difference with entrepreneurs</p>	<p>I.1 By being insistently compared to entrepreneurs, a real aggression has been perpetrated against professionals. The suggested reform provides a mercantilist view of the profession and aims at transforming all lawyers into ravenous executors of the dictates of powerful economic forces, dehumanized by a boundless competition. (Guido Alpa, NFC, <i>Il Sole 24 Ore</i>, March 15, 2007)</p>

Appendix. (Continued)

Themes and concepts	Representative quotations
<p>Legal profession claims that commercial practices are detrimental to professional integrity</p>	<p>I.2 Principles such as the abolition of minimum fees or the possibility for professional service firms of limited liability, and even the entrance of non-professional individuals into the partnership, would threaten the core principles on which the profession is grounded and would inevitably determine the corruption of its representatives ... Confusion has to be avoided between the profession of lawyers and the ways activities are managed in other firms. The practice of law needs to be defended against principles which are used in enterprises, through a discipline of the profession in the collective or associate form. It has to exclude the participation of non-professionals, in order to provide to citizens autonomous and independent professionals. (OUA and NFC, <i>Italia Oggi</i>, Jan 9, 2008)</p>
<p>Legal profession claims that practices reflect identity of professionals</p>	<p>I.3 Professions do not agree with the content of reform proposed by the government. However, this is not because they strongly want to defend privileges of their castes—alleged privileges that the reform aims at eliminating. On the contrary, professions believe that they are an important component of the economy. As such, it is not their intention to refuse change altogether but to refuse the imposition of a professional model that does not reflect the actual identity and practices of the profession. (<i>Il Sole 24 Ore</i>, Feb 12, 2007)</p>
<p>Legal profession claims that practices protect less resourceful members such as young lawyers</p>	<p>I.4 There is the need to check truthfulness and correctness of these messages [advertisements]. Uncontrolled liberalization is potentially extremely negative. Abuses could involve not only clients but also professionals who are resource-wise in a more disadvantaged position. Young lawyers for example would be paradoxically negatively affected by the extensive use of advertisement campaigns. Because of the impossibility for them to compete at the same rate of investment with larger actors, it is more likely for these lawyers to see their access to the market reduced instead of increased. (NFC, <i>Il Sole 24 Ore</i>, Mar 15, 2007)</p>
<p>Theme: Engaging in ceremonial compliance Regulated professions claim compliance with required changes</p>	<p>L.1 The Code of Conduct—norm of primary rank—is absolutely coherent with the current legislation in matters of competition. We are</p>

(Continued)

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Themes and concepts	Representative quotations
<p>Regulated professions are denounced by Antitrust for being resistant to compliance with changes</p>	<p>collaborating with the Antitrust Authority and its investigation, although the Authority is not allowed to invade the autonomy of Ordini. Furthermore, the uncritical adhesion to an Anglo-Saxon model of professionalism is reflexive of an ideological position. Professional firms are not corporations; therefore, the corrections made to the Code are considered adequate. (Guido Alpa, NFC, <i>Il Sole 24 Ore</i>, June 19, 2007)</p> <p>L.2 The Antitrust Authority is receiving numerous calls by members of professions signaling how they have been “discouraged” by Ordini to take advantage of competitive practices made available by the recent wave of liberalizations, in particular in advertising. (<i>Il Sole 24 Ore</i>, Jan 30, 2007)</p>
<p>Regulated professions are denounced by Antitrust for being a caste system protecting their own interests</p>	<p>L.3 The seeds of liberalization have difficulty to radicate in the deontology codes of the professions. Several Ordini have retained dispositions aimed at constraining the economic behaviors of their members in terms of prices and promotion of professional activity. The notion of integrity is evoked to justify the use of practices—such as minimum fees—which in reality are aimed at limiting competition at the expense of customers. The legal code for example still comprises norms such as the “prohibition to secure clients” which intimate a negative connotation of the value of competition and not, on the contrary, as a fundamental carrier of innovation. What is evoked as integrity is in effect an attempt to obtrude the economic activity of the country. (Antitrust Authority, <i>Il Sole 24 Ore</i>, Mar 9, 2007)</p> <p>L.4 Many hope that the update of code of conducts by NFC will refocus attention on more important issues. Relatively marginal themes, such as the protection of professional integrity and the fear of an uncontrolled liberalization of professional services, have diverted attention away from more important issues. The change proposed by the government is not really about creating a more open market, but a simpler market, where consumers will be the one who will benefit the most. (<i>Il Sole 24 Ore</i>, Feb 5, 2007)</p>