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Special Issue: A Southern African Dialogue on the Professions and Professional Work

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Editorial: A Southern African Dialogue

This special issue showcases some of the papers presented at the 2017 Colloquium titled "A Southern African Dialogue on the Professions and Professional Work" held at the University of Pretoria, South Africa. While the special issue contributes to the conversation on professions and professionalism within southern Africa (see also Bonnin & Ruggunan, 2013; Bonnin & Ruggunan, 2016; Erasmus & Breier, 2009; Young & Muller, 2014), it also opens up a conversation between southern Africa and the economic/political North. Writing in 1972 Johnson (p. 281) noted that "the sociology of professions, as a specialist field, today stands almost alone in ignoring the third world". Forty-seven years later, it feels as if not much has changed. Annisette (2007, p.245) points to the repeated calls for "greater spatial and temporal diversity in historical research in accounting", while her focus here was on accounting, this call resonates with most research fields in the professions. However, we would argue that not only is there a need for "spatial and temporal diversity" but also a need to recognise that the professions in both the global south and the economic north are shaped firstly by colonialism and imperialism, and later, through globalisation and neo-imperialism. Just as Johnson (1982, cited in Annisette, 2000) argued that professionalisation in Britain and its former colonies are linked through the project of imperialism, so the globalisation of professions through the global reach of professional service firms (Faulconbridge & Muzio, 2007), transnational companies and multilateral organisations continues this mutual shaping albeit in a different form (Hopper et al., 2017; Lassou, Hopper, Tsamenyi, & Murinde, 2019).

Recognising that the professional project "is grounded in history and unfolds through continuous negotiations set in a broader political and economic order … which over time mobilises different claims, methods, and systems …" (Faulconbridge & Muzio, 2007, p. 10), the articles in this special issue are situated within the specific historical, political and economic context of southern Africa. As they demonstrate colonialism, apartheid, and post-apartheid as well as globalisation and neo-imperialism are all political and economic contexts that are deeply significant when analysing the professions and professionalisation in southern Africa.

Southern Africa was first colonised in 1652 when the Dutch occupied land at the Cape of Good Hope. In the decades and centuries that followed, the colonising powers in this region included the Dutch, the French (very briefly) and the British (with Portugal colonising areas slightly north of southern Africa on the west and east coast of the continent). However, by the nineteenth century, Britain was the major colonial power in much of southern Africa. The professions that developed in the region bore the hallmarks of similar professions back in the colonial motherland. The recognition of qualifications; the way in which particular professions developed and organised; and very centrally who, in terms of race and gender, were admitted were all closely bound to the colonial relationship between southern Africa and the imperial power. In 1910 the four British colonies unified to become the Union of South Africa—at first a self-governing dominion under of the British Empire and

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then from 1931, through the Statute of Westminster, legislatively independent. Long before Apartheid became the official policy, the policy and practice of segregation between black and white as well as gender norms that did not recognise women's right to occupations ensured that those seen to be white and male were privileged.

During the early twentieth century, many of the professions struggled to establish themselves as "befits the image bestowed from the metropolis" (Chanock, 2004, p.212). They needed to instate themselves as recognised professions, protect their domains through organisation and lobby for legislation that would recognise their right to "manage" the profession and craft the status associated with the profession. The early years were also about creating exclusivity. Professions and their services were for whites as both Bonnin and Abrahams et al demonstrate in this issue. Chanock (2004) in his discussion of law in South Africa and other parts of the Empire; Odenyo (1979) in his examination of the development of the legal profession in Kenya; and, Annisette (2003) in her study of accountancy in Trinidad and Tobago, illustrate that this was not much different to other parts of the Empire. But what made South Africa different and was to have a lasting impact on the entire social structure including the Professions was Apartheid. In 1948 white South Africans voted the Nationalist Party into power. As Bonnin & Ruggunan (2016, p. 252-256) discuss the Apartheid state enforced a form of social closure based on race and black South Africans confronted a number of challenges and obstacles in joining any profession. Conversely, white and middle-class South Africans were enabled and advantaged when it came to education and training and thus had privileged access to the professions. While South Africa during this period provides an example of legislated social closure, it needs to be noted that this situation was then used by professional associations to further secure the labour market advantage of white professionals. The articles by Bonnin and Abrahams et al., in this special issue demonstrate this with regard to the legal profession and speech-language pathology respectively.

In April 1994, South Africans went to the polls to elect the first-ever government based on a universal franchise. Amongst the primary tasks of the post-Apartheid state was the abolition of all laws which discriminated on the basis of race and gender. A number of policy measures were taken by the post-Apartheid state to bring about the racial transformation of the economy in the post-Apartheid period (Bonnin and Ruggunan, 2016, p. 254-255). These measures ranged from employment equity legislation to ensuring educational opportunities were available to all South Africans. Nevertheless, despite these actions, transformation in almost all professional fields remained limited. Almost twenty years after democracy the traditional professions continued to be white and male-dominated; only twenty percent of attorneys were black African (in 2011); seven percent of chartered accountants were black African (in 2012); and, fourteen percent of engineers were black (in 2013) (Southall, 2016, p.138). Furthermore, only thirty-three percent of attorneys; thirty-one percent of chartered accountants; and, three percent of engineers were women (Southall, 2016, p.138). Given this situation the state intervened further in an attempt to secure the transformation agenda. Occupational sectors and professional organisations were urged to develop transformation charters and meet black economic empowerment targets. Some of the more notable examples to fast-track transformation are those developed by the South African Institute of Chartered Accountants (SAICA) (Bonnin & Ruggunan, 2016; Southall, 2016). The state passed new regulatory legislation in a number of professions (see Bonnin in this issue for a discussion of the regulatory framework in the legal profession) that sought to address access to the profession as well as access of the public to the services of the profession. For many professional associations these actions threatened their right to self-regulation.

This special issue speaks to many of the important debates regarding professionals and professionalisation within South Africa. Firstly, as the discussion above demonstrates the most important issue is the legacy of apartheid i.e. legislated social closure on the professions in South Africa as well as gender discrimination.

The papers by both Abrahams et al. and Bonnin demonstrate the way in which this legacy shapes professions today.

Secondly, any discussion of the professions in Southern Africa cannot escape analysing the way in which they are raced and gendered as well as the intersectionality of continued race and gender discrimination. How do multiple identities such as race, class, nationality amongst others shape the milieu and labour markets for professionals? Social closure around race and racism is one of the themes discussed in Bonnin's article. However, this legacy and debate are relevant to professions in the southern African region as a whole as the entire region contended with similar legacies deriving from colonialism. Furthermore, with Britain the major colonising power in southern Africa the way in which the professions in the region organised and are regulated bears the hallmark of the British professions.

Thus, race and racism are at the core of understanding the shaping of professions in the southern African context. As Annisette (2003, p.639) notes, in contrast to discussions of race in much of the economic north where "persons of African and East Indian descent are described as ethnic "minorities"", the southern African case (as does her research in Trinidad and Tobago) demonstrates situations where black people are in the majority. Yet, despite constituting the majority of the population and having political power black people remain underrepresented in the professions. Thus, research in southern Africa demonstrates the ways in which "inclusion" and "exclusion" operates in contexts where the racial majority is excluded through various forms of social closure.

Thirdly, a key debate is the role of the professions in relation to public interest and the common good. It has been argued that while professions are given the right to control access to the labour market and self-regulate, they in return should not act in their own self-interest but rather use their knowledge and skills to the benefit of wider society (see Saks, 2014). There are many examples and scandals internationally which demonstrate that this has not been the case and South Africa is no different. Furthermore, public interest does not exist outside of its social context and as Adams (2016, p. 1) argues "it is a social construction and therefore subject to contest and change". Articles in this special issue demonstrate the raced and gendered constructions of the public interest in the South African professions over time, with Chikarara's article on Zimbabwean engineers in South Africa showing the way in which the construction of public interest can also bear the hallmarks of nationalism. In post-Apartheid South Africa, the construction of the public interest adopts a new significance as the state and the professions address the issues of access both to the professions and to the services of professionals for those so long excluded.

The four papers published in this special issue clearly demonstrate the grounding of the professional project in history and the broader political and economic order.

Abrahams, Kathard, Harty & Pillay in their article "Inequity and the professionalisation of speech-language pathology: A profession embedded in coloniality" uses the concept of social embeddedness of professions as a guiding frame to explore the history of the profession and the influence that both the medical model and coloniality had in shaping speech-language pathology profession's knowledge and practices. They demonstrate how deeply the profession is embedded in the colonial and apartheid past and as a result access to both the profession and its services is often limited to middle-class, white populations. Ultimately, they argue for the profession to reimagine its activities and to transform the way it is practised and offer suggestions in this regard.

In her paper "The Legal Profession, Associations and the State in South Africa" Bonnin provides a historiography of the legal profession from colonial times, through apartheid and into the post-apartheid period. She argues that professional self-regulation is as a result of "an arrangement" between professions and the state. The paper explores the regulatory bargain struck between associations and the state

during these different periods. She shows how during Apartheid the profession allowed to self-regulate provided it complied with the state's definition of citizen and limited access to both the profession and justice in the interests of the white minority. But with liberation in 1994, the profession needed to renegotiate the regulatory bargain—agreeing to transform its practices and ensure that barriers to entry as well as discrimination based on race and gender were removed and that the public would have access to both the profession and to justice—in order to remain self-regulating.

Chikarara's "The Precariatisation of Zimbabwean Engineers in South Africa" focuses on the question of occupational closure. Facing difficult economic circumstances in their home country many Zimbabwean engineers looked south of the border to employment in South Africa. However, once there they faced bureaucratic processes relating to the processing of their work visas, their qualifications were not recognised by local universities and the employment offered was often less favourable than what they had been led to believe. The combination of these factors, Chikarara argues pushed them into insecure labour market positions and illustrates that Standing's conceptualisation of the precariat describes their position.

Barac, Gammie, Howieson & van Staden's "How do auditors navigate conflicting logics in everyday practice?" explores the way in which auditors, located in Big Four accounting firms in South African, Australia and the United Kingdom, traverse conflicting logics (professional, commercial and accountability). It demonstrates the way in which they balance and make sense of these logics and argues that in addition to the well-known balancing mechanisms of segmenting, bridging and demarcating they also utilise assimilation. While this study is not directly located in South Africa, drawing on in-depth interviews with regulators, professional bodies, audit partners, talent partners, audit committee chairpersons, chief financial officers and chief audit executives in the three countries, it demonstrates that auditors face similar pressures in all three places and respond in similar ways. Furthermore, the paper adds to the discussion on professionals and the public interest in highlighting the tensions between commercial and professional logics. For South Africa given recent scandals, involving some of the "Big Four" firms this is particularly relevant at present.

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List of papers presented at the Colloquium

ABRAHAMS, Kristen. A case study of emerging practice in speech-language therapy in a community practice context.

AGBEDAHIN, Komlan. Phases, faces and perceptions of the military profession in Togo.

BAISON, Precious. 'Interviewing the interviewer': power dynamics in researching women journalists.

BARAC, Karin The impact of institutional logic multiplicity on audit quality.

BONNIN, Debby. Professions – Associations, State and the Labour Market in South Africa.

BRADY, Jonathan. Advent of mechanisation and machine learning in professional workspaces: Implications and social outcomes.

BURNS, Catherine. Gender, Race and Power in the Thwarting of Forensic Nursing in South Africa.

CARRIM, Nasima. 'Indian males' upward mobility in corporate South Africa: an identity work and intersectionality' perspective.

CHIKARARA, Splagchna. Migrant professionals relegated to the precariat ranks: experiences of Zimbabwean Engineers in South Africa

DAWOOD, Quraisha. An Emerging Profession: Mechatronics and the Struggle for Legitimacy.

FORTAILLIER, Léo. The professionalization of the NGO sector: the case of the Cape Town migrant cause and its "professional activists".

KRUUSE, Helen. The professional and ethical role of the legal practitioner in contemporary South Africa.

MAUNGANIDZE, Farai. The changing nature of professional work in Zimbabwe: A case of the chartered accounting profession.

MEYER, Tamlynne. Professional closure for women lawyers in South Africa.

MUSYOKA, Jason. Spaces of scarcity within state employed black middle classes in South Africa.

NAIDOO, Charuna. HR Ethics and Professionalism aimed at HR Professionalisation. An Exploratory study done in South Africa.

RUGUNANAN, Pragna. Re-defining the boundaries of professional work: A case study of Hair and Beauty Salons and Tailors in Fordsburg, Johannesburg.

SAKS, Mike. Researching and Reforming the Professions: An International Academic Journey.

VAN DER WIEL, Renée. Professional ambiguity about doctors' knowledge-making in South Africa – Pull towards progressive science, pushback against the elite university.

WILDSCHUT, Angelique. MCWANGO, Bongiwe & MEYER, Tamlynne. A society in flux and the purpose of professional work: A perspective from the South.

WILLIAMSON, Charmaine. Scaling Up Professionalisation of Research Management in a Majority World Context.

Kristen Abrahams, Harsha Kathard, Michal Harty & Mershen Pillay

Inequity and the Professionalisation of Speech-Language Pathology

Abstract: As a profession, speech-language pathology (SLP) continues to struggle with equitable service delivery to both people with communication challenges and disabilities. SLP clinical practice in its traditional form has an individual focus and therefore cannot adequately serve the large population in need, which, in South Africa is the majority population. Using the concept of social embeddedness of professions as a guiding frame, the article explores the history of the profession and the influence of the medical model and coloniality in shaping SLP profession's knowledge and practices. As such, we argue that professionalisation in its current form perpetuates injustice. The article proposes innovation across clinical practice, education and research as leverage points for imagining new practices.

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Professions play a key role in society (Martiminanakis, Maniate, & Hodges, 2009). With a scientific base (Brante, 2011), professionals use a specialised body of knowledge, skills, and competences in service to society (Abbott & Meerabeau, 1998). Professionalisation, as the process of acquiring professional status (Hoyle & John, 1995), requires the acquisition of scientific knowledge through higher education in order to develop professional competencies (Volti, 2008). The process of professionalisation, Larson (1977) argues, created a means to control the production of disciplinary knowledge. In this context, control of knowledge production draws attention to the ability of the profession to define and control what "true" about fundamental concepts (Martiminanakis, Maniate, & Hodges, 2009). Professions, therefore, hold the power to determine ways to think about and act upon problems in their domain of expertise (Evetts, 2014). Montigny (1995) argued that power is realized through the formal education process where students learn how to see and think about the world. This professional autonomy is, therefore, a key distinguishing feature of professionalism (Brosnan, 2015).

Among health professions, medicine was the first Western profession to achieve professional autonomy (Brosnan, 2015). Newly emerging occupations, like social work, nursing and rehabilitation therapists such as SLPs, used the resources, status, and influence of medicine as a platform for their own development (Larkin, 2002) by modelling their occupations on more established professions (Hugman, 1998).

The dominance of medical science influenced the way in which SLP was conceptualized. As such, SLP, in its knowledge, clinical practice and education is characterized by similar attributes, concepts, logics, and practices (Pillay & Kathard, 2018).

The article is presented in two interlinked parts. In the first part, the article documents the historical development of SLP internationally and in South Africa specifically. It problematizes colonisation and apartheid as political acts that shaped the forming of the profession. Drawing on the work of Lo (2005), the article draws attention to how speaking from a position of neutrality can limit the possibilities for professional practice in its inability to recognize the profession as embedded in coloniality. Lo (2005) argued that the sociology of professions needs to understand how professionals make sense of their social positions and their professional practices as embedded in specific social contexts. In this way, we use the professionalisation of SLP as a gateway to understanding inequitable professional practices. In the second part of the article, we consider how we might address the challenge of inequity by using the Curriculum of Practice (Pillay, Kathard, & Samuel, 1997) framework. We argue that innovation is a key factor in expanding professional practice beyond rehabilitation services to working toward social change.

Role of speech-language pathologists

Traditionally, SLPs work with communication (and swallowing) disorders – affecting listening, speaking, reading and writing. Individuals who are identified with communication challenges by themselves, teachers, or parents are referred for a SLP assessment. Using a battery of standardised tests and informal assessments, the SLP, with input from key stakeholders (e.g. patient, parents, multidisciplinary team), determines the presence of a communication difficulty/disorder, nature of the disorder [e.g. type of disorder (i.e. speech, language, fluency etc.), severity, prognosis etc.] and the implications of the communication disorder on socialisation and learning (ASHA, 2018). From the assessment results, the SLP diagnoses the communication disorder/disability and plans intervention in line with evidence-based practice (ASHA, 2018).

Challenges with current model of service delivery

Traditional practice, underpinned by the medical model, foregrounds the communication disorder with a focus on how to cure/modify/alter the disordered part of the individual (Barbour, 1995; Wade & Halligan, 2004). This deficit model positions the individual as the focus of therapy as opposed to the education system, for instance (Kathard et al., 2011; Staskowski & Rivera, 2005). The clinical process further positions the therapist as the expert who determines the need for therapy and the focus of the intervention (McKenzie & Müller, 2006) with the patient largely positioned as a passive recipient of treatment (Wade & Halligan, 2004). While patient autonomy in the decision-making process has become a more fundamental part of patient engagement with the health professional, the therapist mainly holds the power. For example, Larsen (2016) concluded that while doctors perceived external parties (e.g., managerialism) to disrupt their authority over doctor-patient relationships, there was largely no erosion of the doctor-patient dynamic.

Internationally authors (Hyter, 2014; Pillay & Kathard, 2018; Wylie, McAllister, Davidson, & Marshall, 2013) are questioning the relevance of traditional practice of SLPs in light of the continued service inequality plaguing the profession. Many authors have documented the inequity of service provision, arising from the lack of linguistic and cultural diversity of practitioners and resources (Overett & Kathard, 2006; Pascoe et al., 2010; Pillay & Kathard, 2015; Van Dulm & Southwood, 2013), to the limited human resource capital (Kathard & Pillay, 2013). As a result, SLP practices only serve a privileged minority, with the majority population having limited access (Westby, 2013). In a special edition of the *International Journal of*

Speech-Language Pathology (2013), authors from Australia (Davidson, Hill, & Nelson, 2013), to Bolivia (Buell, 2013), from Brazil (Fernandes & Behlau, 2013) to Malaysia (Van Dort, Coyle, Wilson, & Ibrahim, 2013), debated the need to expand approaches to current practices in response to the World Report on Disability (World Health Organisation and the World Bank, 2011) in both Minority and Majority worlds.

The case of South Africa

South Africa—the "rainbow nation"—is not only known for its vastly different climates and varying geographies but largely for its diversity of peoples and cultures. The country has 12 official languages, with isiZulu (22.7%) and isiXhosa (16%) as the most commonly spoken languages (Statistics South Africa, 2011). In addition, the population comprises of different race group/apartheid classifications (e.g., black, white, Indian, coloured), with black South Africans make up approximately 80% of the population (Statistics South Africa, 2018). Inequality continues to be a distinguishing feature of the country, with a GINI coefficient of 0.63 in 2015 (The World Bank, 2019). The high inequality in South African society is largely as a result of the legacy of apartheid (discussed later in the article). South Africa is a multi-racial, multi-cultural, multi-lingual country in which SLPs need to provide services to a diverse population.

In South Africa, increasingly literature has begun to draw attention to the need for transformation of profession—from highlighting importance of linguistic and cultural background when working with individuals and the subsequent need for developing culturally-fair assessment tools (Mdlalo, Flack, & Joubert, 2019), the need for SLPs to consider their own positionality in relation to the racial, linguistic and cultural diverse populations served (Khoza-Shangase & Mophosho, 2018) to the need to think creatively when considering the needs of the South African context (Moonsamy, Mupawose, Seedat, Mophosho, & Pillay, 2017).

Populations that benefit the most from SLP services are middle class, generally white populations who speak a dominant language such as English (Overett & Kathard, 2006; Pascoe et al., 2010; Pillay & Kathard, 2015). The underserved population is therefore largely poor, Black, African language speaking – the majority population of the country. Currently, SLP services are unattainable, inaccessible, unaffordable for the majority of South African citizens. If the profession continues to practice in this way, it will continue to perpetuate the systemic marginalisation of the groups of South Africans. But, *how* did the profession become this way?

Methodology

A document analysis of journal articles, editorials, books, and professional association newsletters was conducted to gain historical insight (Bowen, 2009) into the professionalisation of SLP in South Africa. The study used published texts available to the university. Both online and hand searches were conducted through archives of SLP related journals, books, and professional association newsletters and editorials. The document analysis involved skimming, reading, and interpretation the data (Bowen, 2009). Skimming involved a superficial examination of the documents in order to identify the most meaningful and relevant information in the text. Once the relevant documents were identified, each document was read and re-read to review the information. The selected data were categorized chronologically in order to identify themes emerging linked to the professionalisation of SLP. Due to the nature of the historical search, some of the documentation was incomplete. In addition, it should be noted that documents are social products and as such are reflective of the specific social, historical and political context from which it was derived (Kutsyuruba, 2017). In this sense, the analysis of published documents is understood

as one account of the professionalisation of SLP within a specific discourse.

Historicising the development of SLP profession

The early history of the profession of SLP lies in the late 19th century in Europe. There was an interest in speech and language from neurology (aphasia) to phonetics (dialects, sounds of spoken English) and elocution (concerned with singing/speaking)—all focusing on their own area of interest (Wilkins, 1952). Within the medical literature, from the earliest writings till the end of the 19th century, the focus was on pathologies of the brain which resulted in disordered language – largely with an emphasis on speech disturbances (Thompson, 1966). With increasing interest, understanding the nature of communication disorders grew, and its links to the medical and surgical conditions underlying disorders became more apparent (Greene, 1970).

In early research in the medical sciences, when little was known about the anatomy of the brain, disorders of communication were often considered confusing. At this point in time, there no distinction was made between disordered speech associated with aphasia or amnesia for example (Jenkins, Jiménez-Pabón, Shaw, & Sefer, 1975). Neurologists such as Franz Joseph Gall, Jean Baptiste Bouillaud, and Pierre Paul Broca pioneered the way for advancements in aphasiology. Research in the area gained momentum, and soon the neurological understanding of disorders of the speech mechanism outweighed the knowledge of typical speech processes (Jenkins et al., 1975). While clinical research continued to progress, there was an increased pressure to begin to understand normal communication (Jenkins et al., 1975). Developments in technology, (e.g. invention of the telephone, radio, and film) and the after effects of the World Wars, lead to speech and language receiving increased attention. Brain injuries from both World Wars drew attention to the neurological basis of speech and language (Jenkins et al., 1975). As a result, there was a growing need for supporting services alongside medicine to assist with the rehabilitation of patients. In the early 20th century, along with other allied health professions, SLP was developing its early modern identity. European interest in communication provided the platform for the knowledge and orientation to the management of communication disorders (O'Neill, 1987). Communication disorder subsequently became the core focus of the profession.

In the United Kingdom, in the early 20th century, while there were institutions established which focused on speech disorders, there was no formalized training established (Wilkins, 1952). The first speech clinics were established in Glasgow (1906) and Manchester (1911) (Wilkins, 1952). Courses were offered in remedial speech at the Central School for Speech (now called Central School for Speech and Drama) in 1913 (Armstrong & Stansfield, 1996). In the early 1920s, there were two hospitals in London which ran 2-year training programmes and by 1936, there were four established training facilities in London and one in Glasgow (Armstrong & Stansfield, 1996).

In the United States, while there were speech correction clinics in public schools since the early 1900s, there was no official established programmes until around the 1930s. The early professionals in the USA either received training in Europe, were trained in the general area of speech, or were classroom teachers (Lawrence, 1969; O'Neill, 1987).

Following in the footsteps of medicine, the profession of SLP, in its research, service, and education, developed its knowledge from the vantage point of science, with an empirical, positivist frame (Kathard, Naude, Pillay, & Ross, 2007). The profession's journey to South Africa began with Professor Pierre de Villiers Pienaar, a phonetician, who recognised the rehabilitation potential emerging out of the fields of phonetics and voice disorder (Aron, 1991; d1973). He motivated for the institution of professional qualification for SLPs. In 1936, the first SLP programme was established in Johannesburg at the University of Witwatersrand, under the guidance of Professor Pienaar (Aron, 1973). His learnings from his education and travels

to universities throughout Europe and the USA, were incorporated into the academic and clinical work at the university (Aron, 1973).

In 1946, the first professional body, the South African Logopaedic Society was established in 1946 (Ave Atque Vale, 1965) followed by first professional journal in 1953 (Louw, 1994). The foundational knowledge from which the profession grew developed and modelled on the principles and values of both European and American ideals (Aron, 1991; 1973; Ave Atque Vale, 1965).

As the profession grew, a university programme was established at the University of Pretoria for Afrikaans speaking professionals in 1959 (Aron, Bauman, & Whiting, 1967). Initially, both speech and hearing knowledge formed the core of the university programmes in the early years (Aron, 1991). This dual qualification allowed for registration with the professional body as a SLP and audiologist. Following international trends, some of the universities would decide to train either SLP or Audiology professionals (Swanepoel, 2006), allowing for registration as either a SLP or audiologist.

Later, the need to train non-European therapists was acknowledged (Aron et al., 1967) and in 1973, a programme for Indian therapists was introduced at the University of Durban-Westville (Aron, 1973, 1991). Eventually, programmes were established at the University of Cape Town in 1975 and Stellenbosch University in 1989, both in the Cape (UCT, 2018). During this time, most programmes trained predominantly white therapist who served a privileged minority during the apartheid era (Beckett, 1976; Weddington, Mogotlane, & Tshule, 2003), with the training of Indian, Coloured and Black apartheid categories remaining marginalized.

In the 1980s, there was growing awareness for the need for SLP services for marginalized communities. A training programme for community speech and hearing assistants at a diploma level was introduced at the University of Witwatersrand, for mainly Black students. The course was discontinued in the mid-1990s due a number of challenges including to lack of employment opportunities (Moonsamy et al., 2017). In post-apartheid, programmes have also been developed at historically Black universities—Medical University of South Africa (later to be renamed Sefako Makgato University) in 2001 and University of Fort Hare in 2018. Most recently, a professional body for black SLPs, National Black Speech, Language & Hearing Association, was established due to the lack of linguistic and cultural diversity of the other professional associations (Khoza-Shangase & Mophosho, 2018).

Deepening the history of SLP as entangled with colonisation and apartheid

During the same time as the profession was establishing itself, two parallel narratives were occurring—colonisation and later, in South Africa, apartheid. In agreement with Balzer (1996), "professionalisation is not the single thread running through the fabric of modern society…it must be viewed in the broader context of social history or it distorts more than it reveals" (p. 5). Professions and professionalisation, therefore, cannot be understood outside of the social-political environment in which it occurs (Balzer, 1996).

British and European colonisation was violent. Under the veneer of bringing civilisation (Césaire, 1950/2000), colonial conquest was achieved and maintained through violence—exploitation, dispossession, oppression, and killing (Sartre, 1964/2001). Using military force, countless Africans were killed so that colonisers could exploit their land and obtain their wealth (Maathai, 2010). Human rights were denied and maintained by violence. People were kept in poverty and ignorance by force—maintaining their place as subhuman, animal-like (Sartre, 1964/2001). For decades, Africans fought for political independence—a fight against slavery and exploitation (Maathai, 2010).

Later within South Africa, from 1948 –1991, apartheid, a colonial practice, further entrenched racial inequality. Over a 46-year period, apartheid dedicated itself to creating and maintaining white political, social and economic gain (Fiske & Ladd,

2004) through legislation, violence against indigenous people and land and resource appropriation (Coovadia, Jewkes, Barron, Sanders, & McIntyre, 2009). Education was used as a powerful tool to maintain social order and to socialize racial groupings into their role within society (Fiske & Ladd, 2004). By perpetuating views of a hierarchical society, education nurtured superior-inferior/master-servant ideologies among all racial groups (Thobejane, 2013). Bantu education, characterized by a lack of resources, poor infrastructure, and rundown, overcrowded classrooms (Hartshorne, 1992), was a means to provide African learners with inferior education. In so doing, restricting their development, and ultimately guaranteeing Africans remained on the margins of the economy, ensuring a constant supply of cheap labour (Fiske & Ladd, 2004). Without access to economy, living standards declined for the majority of South Africans, resulting in rampant poverty, ill-health, malnutrition and unemployment (Thobejane, 2013). Today, the continued impact of the legacy of apartheid is seen in the prevailing untenable inequity throughout all aspects of South African life (Galvaan & Peters, 2018).

Exploring the social embeddedness of SLP

Social embeddedness of professions acknowledges that professionalisation unfolds in close relation with social categories. It is then essential to consider how concepts such as race, gender, and ethnic cultures and ideologies may have become internalized in the collective identity of the profession. A collective identity is understood as a shared professional identity characterized by a sense of common experiences, understandings, and expertise, and shared ways of understanding problems and their potential solutions (Evetts, 2014). This collective identity is produced and reproduced through professional education, socialisation, and vocational experiences and by membership with professional organizations (Evetts, 2014).

Witz (1992) problematizes the notion of a profession stating that traditional understanding of professions takes "the successful professional projects of class-privileged male actors, at a particular point in history and in particular societies to be the paradigmatic case of profession" (p. 37). She concluded that it is necessary when speaking of professionalisation, it is important to consider who is involved in the professionalisation project and to consider the structural and historical context in which professions are developing. In extending this argument, Grosfoguel (2002) states that knowledge (as the subsequent practice thereof) is always generated "from a specific location in the gender, class, racial, and sexual hierarchies of a particular region in the modern/colonial world-system" (p. 208).

For example, SLP continues to be a gendered profession, dominated by females (Litosseliti, & Leadbeater, 2013), while medicine has traditionally been male-dominated (Witz, 1992). Collyer (2018), drawing on the work of Bourdieu's concept of field, argued for expanding the theorizing of the health care sector to consider its interaction with social structures, which both support and constrain social actions within it. In psychology, Lane and Corrie (2007) explored the social embeddedness of the profession. They specifically argue that psychology was predicated on a professional identity of rationality and science which determined which types of knowledge were legitimate or not. The authors concluded that the profession of psychology requires radical reform in order to legitimise marginalized voices. Hearn, Biese, Choroszewicz, and Husu (2016) emphasized that positioning the study of professions and professionalisation as a value-neutral phenomenon is both careless and unscientific. They argue that the gendered and intersectional nature of professions and professionalisation is historically established and emerging in new forms. Adams (2015) considered the convergence and divergence of research publications in the sociology of professions in the English-language. Based on her analysis, she concluded that there is a need to explore the social construction of professions, taking into account the social context, in order to advance the sociology of professions. It, therefore, becomes essential to consider the history of SLP in South Africa, in rela-

tion to the social concepts of gender, class, race and patriarchal hierarchies as established by the country's colonial and apartheid history.

Situating SLP as a project of coloniality

The profession of SLP has its origins in a Euro-/American-centric, white, middle-class, male-dominated health care milieu largely influenced by the medical model. The medical model places value on objectivity rational truth, quantification, where illness is constructed as a breakdown/dysfunction (Broom & Adams, 2009) based on the premise of abnormality within the body (Wade & Halligan, 2004). This premise requires a judgement of the deviance from normality (Hammell, 2004). As a result of this reductionist approach, SLP focus on communication impairment has narrowed the conceptualization of communication to a focus on something that people cannot do (Kathard & Moonsamy, 2015).

Characterizing the disorder is accomplished using a binary approach against normative criteria (Pillay, 2001). In so doing, the profession sets up a normative frame as part of its practice, from which disorder can be identified. The concept of "normal" is determined by rendering the experience of others as lesser or even invisible (Pillay, 2001). Through the profession's work, it imposes definition of normality onto the lives of others. In this instance, first the profession "others" then it deficits the lives of individuals (Pillay, 2001). The profession of SLP has control over the interpretation of communication which results in those falling outside of the normative frame to be re-produced as *different* (Pillay & Kathard, 2015). The process results in the concept of dis-othering, where "dis" refers to creating the person with a communication DISorder as Other (Pillay & Kathard, 2015).

Normative frames informing and underlying the medical model are rooted in the definition of normality relative to the social, economic, political and historical foundations of the profession's cultural capital i.e. white, Western, middle-class, etc. (Pillay & Kathard, 2015). Eurocentric knowledge, (using universities as avenues to forward colonization) under the veil of objective and universal truth, imposed ways of knowing and of producing knowledge (Dastile & Ndlovu-Gatsheni, 2013) while excluding knowledge from the Global South. For example, van Kleeck (1992) demonstrated how mainstream cultural values have become engrained in the very essence of communication interventions. SLP early childhood interventions are grounded in the value of talking in interactions (van Kleeck, 1992). While many cultures regard verbal ability as an important asset, other patterns of socializing children have been found in other cultures (e.g., Western Samoa, Ochs, 1982). In this sense, the cultural values of "the other" are not acknowledged in the professional values of the profession. Knowledge and practice were therefore not framed from an African perspective and subsequently, Africa became saddled with knowledge that disempowers its people (Lebakeng, Phalane, & Dalindjebo, 2006). As such, Africa is a victim of external knowledge generation uninformed by a contextual understanding of African ways of knowing, doing and being (Ndlovu-Gatsheni, 2013).

While formal colonization administration may be over, the world has moved from global colonialism to global coloniality as many non-European states continue to live under European/American exploitation and domination (Grosfoguel, 2007). The concept of coloniality therefore provides a means to understand the continued effects of colonisation (Ndlovu-Gatsheni, 2013). The colonial nature of the profession has been sedimented through the combination of its positivist science, biomedical practice and colonized education (Pillay & Kathard, 2015). The collective identity of the profession in Africa was moulded on imported beliefs and practices which are engrained in the current SLP practice (Pillay & Kathard, 2015). The colonial influences from the early development of the profession continue to guide and shape the ways in which the profession conceptualises, understands and addresses African challenges. As such, the profession of SLP is conceptualized as a project of coloniality. The challenges around equity of service delivery within SLP are therefore located within this historical political context.

Innovation as key for imagining new practices

Positioning the profession of SLP as entangled with coloniality allows for ingrained knowledges and practices to be questioned, critiqued and reimagined in a context of prevailing inequity. If the profession is to consider how to transform, all the activities of the profession need to be considered (Kathard, 1999). The Curriculum of Practice Framework provides an outline of three key features of professional practice (Pillay, Kathard, & Samuel, 1997): clinical practice, professional education, and research (see Figure 1). Pillay and Kathard (2015) posit that "to innovate we must change what we do across these domains. We may change what we know (our knowledge base via research), what we do (our practice) and how we educate entry-level and practicing professionals (professional education)" (p. 207). In this sense, the Curriculum of Practice framework provides a starting point to consider how the profession can begin to change the dominant, individual, one-on-one, health care narrative by expanding into new/different spaces within each element of the framework.
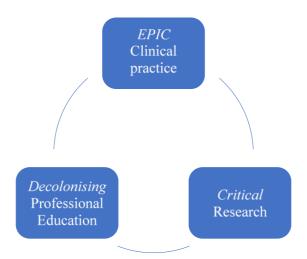

Figure 1: *Innovation tools for social justice. Curriculum of practice framework – adapted from Pillay et al. (1997).*

Clinical practice activities are the activities that a professional performs and the resources which they use to achieve their practice activities such as physical/material, human or financial resources (Pillay et al., 1997). For example, during interactions with a patient, clinical practice activities would include assessments to reach a diagnosis. The knowledge base of the clinical practice activities, informed by research and curriculum, facilitates and reflects practice and are understood as unfolding in close relationship with professional education and research (Pillay et al., 2016). Curriculum is broadly defined as "…interlinked complex of who is taught [i.e. the learners], what is taught [i.e. the syllabi], how it is taught [i.e. the teaching and learning process], who teaches [i.e. the professional educator] and the context of teaching" (Gerwel, 1991, p. 10). Research largely informs the knowledge generated from the best evidence for clinical practice.

To begin exploring new ways of practicing, we provide three avenues of inquiry across the three elements of the Curriculum of Practice.

Decolonising education

Professional education as a key driver for fundamental change should not only be invested in innovation but should be framed within a decolonial perspective (Pillay & Kathard, 2015). A decolonial perspective seeks to engage "an-other thinking" that

may potentially liberate the minds of the colonized from Eurocentric thinking (Mignolo, 2005) toward the realization of alternative ways of knowing, generating knowledge and imagining the world (Dastile & Ndlovu-Gatsheni, 2013). Education that belongs and contributes to a fair and just society is only possible when it recognise the way in which relations of power have shaped history, specifically the process of domination and exploitation that characterized colonializm (De Lissovoy, 2010). Confronting inequity fosters awareness of social injustices (Leonardo, 2004). Beyond merely recognizing how history has shaped the world, decolonial education requires problematizing the underlying Eurocentric ways of knowing and doing as a means to move education toward critical engagement (Bailón & De Lissovoy, 2018). Quality education is just as much about teaching students to be more critical of the world, as it is about creating a space for imagining a better, less oppressive world, of which dreaming is a necessary process for real change (Leonardo, 2004). "Dreaming...is not always an unconscious act, but a metaphor for social intervention that moves the critical social theorist from analysis to commitment." (Leonardo, 2004, p. 15). See the University of Cape Town's Curriculum Change Framework as an available resource to explore decolonizing higher education (CCWG, 2018).

Equitable Population Innovations for Communication approach to clinical practice

Challenging the traditional notions of clinical practice, Pillay and Kathard (2018) present Equitable Population Innovations for Communication, as a guiding frame for reimaging clinical practice. The framework proposes population-based health care as an expansion of the traditional dominant individual health care model.

The notion of equity, as fair and just service provision, constructs clinical practice in a context where services have been grossly unequal. In this sense, the concept of equity allows the profession to think about the mechanisms which support and bring the profession closer to achieving health equality. The history of SLP and its practice bear testimony to the role of the profession in perpetuating injustices (as discussed earlier). The profession needs to consider whether its services are reducing the inequalities between the privileged and the poor (Pillay & Kathard, 2014). Expanding practices from a singular focus on disability to include social disadvantage as means toward inequity redress may be one avenue to consider (see Pillay & Kathard 2018). With the large population in need (as discussed earlier), the individual, institution-based personal health care service delivery model may never meet the need (Pillay & Kathard, 2015). Pillay and Kathard (2018) advocate for a shifting of focus from individual to the community, the district or even the country as a whole, for a meaningful change, to be obtained. The focus is therefore on masses of people, whole school or curriculum-based intervention, not just working with people in a school or stroke unit. A focus on population, i.e., all people in a community, expands the basis of the persons/community being served.

The importance of *innovative* practice highlights the need for creative, innovative solutions/approaches to addressing the needs of under-served populations (Duncan & Watson, 2004; Kronenberg & Pollard, 2005; Wylie et al., 2013).

Communication (and swallowing) aims to reposition the professions understanding of communication from disorder to how people make meaning together (Kathard & Pillay, 2015). In redefining the lens through which the profession works, communication is broadened, to considering a role beyond that of disability. The dominant narrative of DISorder is disrupted, and in so doing, the scope of the profession's work expanded.

Critical focus for research

Based in the positivist discourse, the SLP profession speaks from the position of neutrality, failing to acknowledge how factors (contextual, personal, societal, etc.) influence how reality is perceived [For examples, see Beecham (2004), Kovarsky

(2008)]. Within the South African context, the influences of colonializm and apartheid shaped the current landscape of the society. If the profession fails to acknowledge its history in shaping the present, the understanding of the challenges in the world is limited. Positioning research through a critical approach takes into consideration the political, social, historical and cultural factors influencing the way the world is structured. Existing conditions are critiqued in order to redress marginalization and redistribute power and resources (Weaver & Olson, 2006). Being cognisant of environmental and social factors impacting the well-being and development of individuals, allows the profession to explore how it may contribute to the emancipation of people living on the margins of society due to poverty and other oppressive influences (Kronenberg & Pollard, 2005).

Conclusion

The historical analysis provided a lens to reconsider the early development of the profession of SLP as occurring alongside colonializm and apartheid. In accordance with Lo (2005), the historical analysis challenges the professions to move toward considering social embeddedness. The article highlights the need for the professions to explore the influence of social categories on the way in which professions developed their professional identity. The concept of coloniality provides the professions with a means to explore how ingrained knowledges and practices contribute to continued inequity.

Repositioning knowledge and practice as entangled with coloniality challenges the profession to reflect on the underlying foundational philosophies as situated in a medical, white, male, Eurocentric, middle-class domain. Expanding the profession's focus to include social justice allows the profession to challenge and interrogate traditional practices in the face of inequity. Such questioning provides a platform for rethinking, reconceptualize and reimagining clinical practice, education and research in SLP.

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Debby Bonnin

Striking a Regulatory Bargain. The Legal Profession, Associations and the State in South Africa

Abstract: This article examines the regulation of the legal profession in South Africa from colonial times, through apartheid and into the post-apartheid period. It narrates the changing relationship between professional associations and the state, locating these events within the debates on professional self-regulation. Taking the view that professional self-regulation is as a result of "an arrangement" between professions and the state it explores the regulatory bargain struck between associations and the state. The paper demonstrates that during the apartheid period the profession utilised apartheid legislation to exclude black legal professionals. However, in the post-apartheid period, when the state proposed legislative interventions in order to enable access to both the profession and justice, a new regulatory bargain had to be negotiated.

Keywords: Professions, professional regulation, self-regulation, states, South Africa, legal profession.

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This article explores the regulation of the legal profession in South Africa. Taking a historical perspective it examines the changing relationship between professional associations and the state. Moving from the colonial period to contemporary times it traces the regulatory bargain/s struck between the state and professional associations that allowed the South African legal profession to self-regulate. The historical perspective allows me to demonstrate the alignment between professional associations and state interests; even if state interests have changed over time. The overall argument is that by conceding to the interests of the state and redefining 'the citizen' in whose interests the profession should also act, the professional associations have been able to renegotiate and maintain the "bargain" that allowed self-regulation.

I begin by discussing the development of the legal profession in the four colonies located in southern tip of Africa. When these colonies formed the Union of South Africa (a self-governing dominion under the British Empire) the profession was differentially regulated across provinces depending on the colonial legacy. The second section examines professional self-regulation in the twentieth century, briefly outlining the establishment of the professional project, investigating the ways professional associations facilitated (or not) access into the profession and exploring the regulatory bargain made between (white) legal professionals and the state during apartheid. During this period there develops a consensus between pro-

fession and state as to who is "the public" and thus who constitutes "a citizen". The self-regulatory project required that the legal profession accede to the political demands of the Apartheid state and act in accordance. In the state's view the citizen was white, primarily male and urban. The quid pro quo was that the state then allowed the profession to manage itself. Furthermore, the profession was able to exploit the discriminatory legislation passed by the Apartheid State to advance its professional project and utilise the wider structures of racial and gender power to ensure white male legal professionals dominated the labour market.

In the final section, the article examines the legislative interventions made by the post-apartheid state in order to ensure access for previously excluded groups (black and female) and thus transform the profession. The first draft of the Legal Practice Bill (DoJ, 2009) indicated the state's intention to remove the power to self-regulate. I suggest that the state's attempt to weaken the power of professional groups was linked to the imperative to transform and enable access in a context where professional closure had been (and still was) used to exclude people on the basis of their race and gender. Faced with a threat to their self-regulation, professional associations found ways to enable access to both the profession and the justice system. Thus a new regulatory bargain was agreed to.

Professionalisation and the regulation of professions

Professionalisation is a complex process whereby professional groups acquire recognition from the broader society. Alongside recognition is the occupational control of that work by the profession (Friedson, 1986; Larson, 1977). It is through the process of professionalisation and regulation that states' consent to some occupations acquiring professional power and privilege in the labour market (Flood, 2011). Not only do professions play a role in maintaining social order but they have become integral to the way modern states govern (Saks, 2010). Thus the regulation of the professions not only allows professional groups to control markets to their benefit it also benefits states (Adams, 2009, p. 196). Evetts (2002, p. 341) points out that while self-regulation has been keenly defended by professional bodies it equally reflects the trust that the state has in a professional group.

Earlier theorisations of the professions, located within the trait and functionalist paradigms, understood professions to be generally beneficial to society and argued that they acted to use their knowledge for the society at large (Saks, 2014, p. 85). These theorisations have since been critiqued (see Saks, 2010; 2014) and much of the contemporary literature draws on Weber and neo-Weberian theories to suggest that professions petition the state to enact legislation allowing for their self-regulation in order to secure their control over the market (Evetts, 2002, p. 345; Saks, 2010, p. 887-888). Professional groups seek social closure in order to "monopolise rewards for self-gain" (Adams, 2016, p. 2) and as such, they have little interest in the public good (Saks, 2014).

A number of public scandals have resulted in a view that the professions have little interest in the public and put their interests first. In the wake of these the power of professions in many countries has been reduced along with their ability to self-regulate (Adams, 2017; Adams & Saks, 2018; Flood, 2011; Lester, 2016). Some have argued that the self-regulation of professions is a relic of the past and that governments have instituted regulatory changes in order to substantially limit professional autonomy (Evetts, 2002).

Adams (2015, p. 159) suggests that the argument that self-regulation belongs in the past is often based on researchers generalising limited empirical examples from one or other profession or nation and then making "bold theoretical statements" regarding the way in which professions are regulated. There is increasing recognition that professionalisation and the professional control of work is located in a particular historical and economic context; one that involves constant negotiation

and renegotiation between states and professions (Faulconbridge & Muzio 2008, p. 10). State-profession relations have changed in many different ways over the last decades of the twentieth and twenty-first century (Adams & Saks, 2018, p. 62).

Furthermore, Adams and Saks (2018, p. 66) have suggested that the argument that professions are only in it for self-gain is somewhat simplistic. They argue that professions may simultaneously act in terms of public interest; honour their ethical considerations; and, try to improve their market position. Similarly states respond to their own contextual situation based on the history and social situation of a particular society as well as their own particular political interests and values. States have "their own agendas—including pursuing regulatory change for reasons that appear to be politically, ideologically and financially motivated" (2018, p. 62). Thus decisions around regulation may arise from a complex variety of interests, concerns, and values from both states and professional groups.

States and professions over time come to an arrangement, a regulatory bargain, whereby professions are given the power and freedom to manage their own affairs as long as it's in the public interest (Adams, 2016, p. 2; Flood, 2011, p. 509). However, as Adams (2016, p. 1) comments the concept of "public interest is a social construction and therefore "subject to contest and change". Furthermore, the public has race, class, gender, and ethnicity, among other identities. In South Africa, as argued above, the regulatory bargain initially agreed upon between the state and the profession was based on a common understanding of who constituted this public. But as Adams and Saks (2018) indicate states have their own agendas; agendas that are fundamentally political. When the interests, concerns, and values of the South African state changed, it became necessary to renegotiate this bargain or forfeit the support of the state for self-regulation.

Adams (2016, p. 12) in her discussion of the changing regulatory context in Canada argues that "regulatory change is actually linked to the changing conceptualisations of the public interest", she demonstrates that when the interests of the professions and the public were seen as compatible then self-regulation and autonomy "made sense" but that it is the changing definition of public interest away from service to "open competition and cost reduction" that contributes to the decline of self-regulating professions. In South Africa the concern of the state was to ensure that the profession aligned to its broader political agenda and it was on this that the regulatory bargain hung.

Methods

This article uses an historical sociological method. Four data sources were reviewed.

Firstly I sourced secondary literature (both published material and unpublished dissertations) on the development and regulation of the legal profession in South Africa. An analysis of the secondary material provided a broad picture of existing knowledge as well as demonstrating the gaps in the literature. It confirmed Klaaren's (2010) view that the way(s) in which the South Africa legal profession developed and became regulated has not been studied in-depth.

Secondly, I reviewed legislation pertaining to the regulation of the legal profession going back as far as possible into the colonial period. Unfortunately it was not always possible to locate colonial legislation, particularly for the early colonial period. For the discussion of legislation and regulation in this period I relied on secondary literature.

Thirdly, I reviewed publications and newsletters published by professional associations. In the main these were *Advocate* and *De Rebus*, but I also searched for material from other associations particularly the non-statutory bodies. *Advocate* (formerly *Consultus*) is the official publication of the General Council of the Bar. It has been published since 1988; at first four per annum but now three. *De Rebus* is

the official publication of the Law Society of South Africa. It has been published monthly since 1955. I searched them using keywords associated with the key pieces of legislation.

Fourthly I sought information, both "official" and "unofficial, that related to the legal associations (statutory and non-statutory). This information was frequently anecdotal and often found in "histories" published in the newsletters, magazines, and websites of the different professional associations. The "official" information contained many silences on the way in which professional closure embraced race or gender. I, therefore, looked for literature that explicitly spoke to questions of closure and the experiences of black and female legal professions. Here critical reflections from legal professionals on the role of these associations, submissions to the Truth and Reconciliation Commission (TRC) (1997) as well as new interpretations of this history from biographies and autobiographies of black legal professionals (Meer, 2002; Moseneke, 2016; Ngcukaitobi, 2018) were useful.

Regulation and professionalisation in colonial South Africa

The South African legal profession traces its roots to the four territories that formed the Union of South Africa in 1910, with the profession's form laying in the legal tradition of the colonising powers. The Cape was first colonised by the Dutch in 1652 and while there were no restrictions or qualifications needed to practise as an attorney only those with a Doctor of Laws from the Netherlands could be admitted as an advocate (Erasmus, 2015, p. 221). After the Napoleonic wars, when the Cape once more became a British Colony more fundamental changes mimicking the British legal system were introduced. The First Charter of Justice, passed in 1827, gave the Cape Supreme Court the powers to admit and suspend legal practitioners. From 1829 the Supreme Court determined that to be admitted as an attorney a person needed to serve as a clerk for five years (Ehlers, 2003, p. 80). To be recognised, advocates had to have qualifications from the "mother" country, admitted as a barrister in England, Ireland or Scotland, or hold a Degree of Doctor of Laws from Oxford, Cambridge, or Dublin or have graduated in law from Holland (Erasmus, 2015, p. 224). Only fifty years later when Act 12 of 1858 (Cape Colony) was passed could advocates qualified in the Cape be admitted (Erasmus, 2015, p. 224). In 1883 the Law Society of the Cape of Good Hope was initiated through the Incorporated Law Society Act 27. Its purpose was to "promote the uniform training, examination, and admission of attorneys and notaries and to maintain uniform practice and discipline among its members" (Ehlers, 2003, p. 81). However, membership was not compulsory for attorneys and many attorneys in the Colony were not members. The Act also allowed for admission on the basis of a university law examination and three years of clerkship (Ehlers, 2003, p. 81).

Natal was proclaimed a British Colony in 1843 following the annexure of the Boer Republic of Natalia (Morrell, Wright & Meintjes, 1996). Cape Ordinance 14 of 1845 was the first legislation to regulate the profession in the Colony of Natal; allowing the Court to admit and enrol advocates and attorneys already admitted in the Cape (de Beer, 1988, p. 93). This Ordinance was repealed by Law 10, a Natal Ordinance in 1857. It established the Supreme Court and admitted English and Cape legal practitioners as well as those qualified in terms of the Rules of the Court. The Rules allowed admission provided a person had a degree and had served articles with a practising attorney. Attorneys were free to practise as advocates, but formal admission was only possible after three years of practise and the passing of a higher examination. A further set of rules were enacted in December 1906, with a requirement that aspiring attorneys had to attend a minimum number of lectures before being able to take examinations. "Dual practice", whereby attorneys directly represent clients in the High Court, became entrenched in the laws of the Colony (de Beer, 1988, p. 93-97).

The Natal Law Society was formed on 16 February 1871. The Association registered under the Literary and Other Societies Act 35 of Natal (1874) with voluntary membership Legal Practice Council, n.d.). In 1907 the Natal Law Society was incorporated under the Incorporated Law Society of Natal Act, 10 of 1907 (Natal)—a private Bill. This incurred fierce opposition with some legislators likening the move to "trade unionism", claiming it was not in the public interest (Legal Practice Council, n.d.). The profession argued that it was essential to its development and success that all attorneys fell under the disciplinary ambit of one law society (de Beer, 1988, p. 99). The Incorporated Law Society of Natal regulated both advocates and attorneys (Legal Practice Council, n.d.).

The regulation of the legal profession in the Boer republics, the Orange Free State and the South African Republic, was minimal; little importance was placed on qualifications or legal training with no statutory regulation at first (Black Lawyers Association [BLA], n.d.b., p. 2). At the start of the South African War, the law societies in both territories were disbanded (BLA, n.d.b., p. 2). In 1902, following the British victory both became British colonies (South African History Online [SAHO], 2019). The new British rulers moved to reconstruct the state in these two territories, a state which Chanock (2004, p. 222) argues they saw as corrupt in all its practises. Integral to this was the project of "actively remak(ing) the public and legal institutions of the state" (Chanock, 2004, p. 222). A new Supreme Court Bench was established and tasked with, amongst other things, the professionalisation of the legal profession. In both colonies Law Societies were re-established through proclamations, their purpose to regulate the profession and "look after" members' interests in the profession (BLA, n.d.b., p. 2-3).

Chanock (2004, p. 221) argues that the primary project of the profession at the beginning of the twentieth century was to create a status for itself that matched the dignified image it wished to portray. This, he claims, is peculiar to a "colonial profession" which has to "struggle to establish for itself a place that befits the image bestowed from the metropolis" (Chanock, 2004, p. 221). As the previous discussion demonstrates legal professionals were from a variety of backgrounds with varied paths to admission and in all colonies except Natal there was a clear division between the Bar and Side-Bar. The elite, through the various law societies, moved to establish common notions of professional conduct. Broadly these related to relationships between attorneys and companies; touting; property transfers; and, what might be considered 'proper' work for attorneys (Chanock, 2004, p. 222-225). In the early years of the twentieth century the law societies moved to disbar attorneys they deemed to be behaving unprofessionally and so establish the ethics of professional conduct via the courts (Chanock, 2004, p. 224).

Professional self-regulation and access: the state and professional associations in the twentieth century

In 1910 these different regulatory frameworks were transferred into the Union. The now provincially-based Law Societies continued to drive the regulation of the profession, through provincial legislation. In the Cape and Natal these originated through Private Members Bills with the profession pushing a self-regulatory agenda. While in the Orange Free State and Transvaal the regulatory framework was driven, in the post-war environment, jointly by state and professionals.

Post-union there was determination to bring uniformity to the profession and to create a common set of rules and regulations. In this the state and profession didn't always speak with one voice. Chanock (2004, p. 227-240) points to three concerns occupying the profession at this time; firstly, "overcrowding" and "unprofessional conduct" and thus the desire for the qualification process to be more rigorous and to increase professional control; secondly, attempts to specifically exclude on the basis of gender and race; and thirdly, what I call *boundary battles* whether this be

the administrative creep of the state into what the profession saw as their domain and disquiet over the widening jurisdiction of magistrates, or, establishing the exclusive right of attorneys to conduct property transfers.

Concerned with access, status, and conduct, legal professionals organised themselves into professional associations that could control these areas. By 1910 the Cape was the only province where it was not compulsory for attorneys to be members of the Law Society. In 1916 the Cape Law Society introduced a private member's bill, The Law Society (Cape of Good Hope) Private Act 20 ("Cape Town Attorney", n.d.), its primary purpose being the closer regulation of attorneys including compulsory membership for all attorneys practicing in the Cape. This, it argued, was necessary so that "the society could exercise "proper disciplines, control and supervision" (SC 1 2016 cited in Chanock, 2004, p. 228).

In 1912 attorneys had attempted to create, through the submission of a Private Bill, a national law association to control admission, conditions and practice. The Bill was rejected primarily due to opposition from legal agencies who did not want their work curtailed (Ehlers, 2003, p.84). Law Societies continued their struggle to reserve certain work for attorneys as well as ensure uniform admission criteria (Ehlers, 2003). They saw partial success with the formation of the Association of Law Societies of South Africa in 1933 and the passing of the 1934 Attorneys, Notaries and Conveyancers Admission Act (No 23) and the Deeds Registries Act in 1937 (Ehlers, 2003, p. 92).

However, the Association did not have legal or regulatory authority and provincial-based law societies continued to conduct their own affairs. It was only in 1975 with the passing of the Law Societies Act (No 41) that there was a "uniform legislative framework within which all Societies [would] operate" (Knoll, 1975, p. 312). Law Societies had a dual function; firstly, to take care of the members' interests (through the Law Society), and, secondly, to regulate the affairs of the Society (through the Council of the Law Society) (BLA, n.d.b. p. 3-4).

The 1934 Attorneys, Notaries and Conveyancers Admission Act (No 23) repealed all the previous colonial era legislation and specified the criteria for admission. The period of articles was set at three years (at first the profession proposed five) and the Act ensured conveyancing work was only done by admitted attorneys. From here onwards no person could be admitted as an attorney, notary or conveyancer unless they complied with the provisions of this Act. Despite amendments the main provisions of this Act remained in force till the Attorneys Act No 53 (1979) repealed previous legislation including the Law Society Act incorporating its provisions.

Advocates and attorneys established themselves as different professions. The Natal exception of "dual practice" changed in the early 1920s. In 1929 the Society of Advocates of Natal was formed with the division formalised through the rules of the Court in 1932 (de Beer, 1988). The Admission of Advocates Act (No 19) was passed in 1921, stating the qualifications for admission. It, along with all other legislation passed prior to 1910, was repealed in 1964 by the Admission of Advocates Act (No 74); outlining the educational qualifications required for admission, the process of admission and creating a Roll of Advocates to be administered by the Secretary of Justice. However, the Act did not regulate the profession or appoint a regulatory body; that was left to the Bar Councils.

Advocates organised themselves independently with each local division of the High Court forming a Bar. In 1946 the various societies formed the General Council of the Bar (GCB), a federal body with ten affiliated societies of advocates. The Orange Free State and Pretoria Bars refused to admit black members; to accommodate them, and avoid disagreements on membership, it was agreed that Bars would formulate their own constitutions. The Pretoria Bar was to maintain its "all-white membership clause" until 1980 (Ellis, 2004, p. 17).

Chanock (2004) argues that the profession's attempt to exclude women (for a while) and black people was not unique to South Africa during this period. He

(Chanock, 2004, p. 31) notes; "empire, segregation … were fundamental parts of the world within which South Africa's race-based law developed". In 1909, the Transvaal Supreme Court denied Sonja Schlesin (Schlesin v. Incorporated Law Society, 1909 TSC 363) the right to register her articles. Mr. Justice Bristowe refused the application with costs, saying "the articling of women is entirely without precedent in South Africa and never was contemplated by the law" SAHO, 2011). In 1912 Madeline Wookey applied for an order against the Incorporated Law Society (Cape) compelling it to register her articles of clerkship so she could be admitted as an attorney. The Law Society's appeal was upheld by a full bench of the Court (Incorporated Law Society v Wookey 1912 AD 623) on basis that although "persons" could be admitted as attorneys, women did not fit the definition of "person" (Manyathi-Jele, 2015). Only in the early 1920s did the Law Societies remove their opposition (Chanock, 2004, p. 226) and the Women's Legal Practitioners Act 7 (1923) was passed. Three years later the first two (white) women were admitted to the profession (Chitapi, 2015, p. 5). The first black female attorney, Desiree Finca, was only admitted in 1967 (Manyathi-Jele, 2015).

The Law Societies also opposed the admission of black attorneys. The first black (male) South African lawyers trained at Lincolns Inn (London) in the early twentieth century. In 1910 when Alfred Mangena filed an application for admission to the High Court (in the Transvaal) it was opposed by the Law Society of the Transvaal (Ngcukaitobi, 2018, p. 97-100). They claimed there was little possibility of him finding work from the white population and argued "natives" were encouraged to take their grievances to the Department of Native Affairs rather than litigate. The court disagreed, and he and other London-trained attorneys were admitted (Ngcukaitobi, 2018, p. 130-131). Only in 1956 was the first black (male) advocate, Duma Nokwe, admitted to the Johannesburg Bar (South African History Archive [SAHA], n.d.a).

Despite few legal impediments to black students registering at universities in the early twentieth century other measures of discrimination impacted the possibilities of them training as lawyers. In his autobiography, Ismail Meer (2002, p. 69-79) explained that his legal studies at the University of Natal "black section" was terminated in 1942 as "the Natal Law Society was against non-whites entering the legal profession. … the council of the university bowed to the wishes of the Law Society." He was one of ten black students forced to terminate their law studies (Meer, 2002, p. 70).

In 1948 the National Party was voted into power and began to pass legislation institutionalising racial segregation and oppression. The introduction of Bantu Education in 1954 shifted the primary institution of social closure to the State (Bonnin & Ruggunan, 2016). In 1959 the Extension of Universities Education Act was passed and tertiary institutions became segregated on the basis of race and ethnicity. The net effect being that by 1962 of the 3000 registered attorneys only 13 were African, 26 Indian and five 'coloured' (Sachs, 1973). By the mid-80s only ten percent of 6500 registered attorneys were black; seven percent of 650 advocates were black; and, there were only two black senior council (Pruitt, 2002, p. 562). In the main the profession was happy to cooperate with the State in excluding black lawyers.

The Group Areas Act (1950) was among the most serious obstruction faced by black lawyers. Urban areas were divided into racially segregated zones, making it illegal for people to live or rent business premises in an area not defined for their race. Lawyers (and other professionals) were prosecuted if they rented offices in the (white) city centre unless they had been granted a Group Areas Permit (Moseneke, 2016, p. 179-180). Numerous black attorneys were prosecuted. Advocates were particularly affected as they were obliged to utilise the chambers of their bar association yet the law did not permit this. Some black advocates squatted in the chambers of sympathetic white advocates, forced to keep a low profile to avoid being informed upon (Broun, 2001, p. 34; SAHA, n.d.b).

The Reservation of Separate Amenities Act (49 of 1953) legalised the racial segregation of public spaces, facilities, vehicles, and services. Black advocates and attorneys could not use facilities reserved for white legal professionals. An infamous case is State vs Pitjie (1960 (4) SA 709 (A)); Pitje a candidate attorney was charged with contempt of court for refusing to sit at the desk designated for black attorneys (Thebe, 2015).

There are many examples of Law Societies actively excluding black attorneys, thus obstructing them from practicing law. One way was through the use of the criteria of being a "fit and proper person", either not to admit a black person or have a black lawyer struck off the roll. Both the Attorneys Act (1923 and subsequent amendments) as well as the Admission of Advocates Act (1964) outlines the criteria for admission, the first criteria to be satisfied is that the person seeking admission is "a fit and proper person". Yet as Slabbert (2011, p. 209) observes what this means is not described in the legislation thus it is at the court's discretion to decide if a person is 'fit and proper' (Slabbert, 2011, p. 210). The legislation allows the Court to strike a person from the roll if satisfied that they are not a fit and proper person to continue to practise either as an attorney or advocate. Its use goes back to the first attempts by Law Societies in the late nineteenth and early twentieth century to block black people and women from practising law (Slabbert, 2011, p. 213). Later it was used against lawyers involved in the struggle against apartheid. The most notorious was the attempt by the Transvaal Law Society to strike Nelson Mandela from the roll after his conviction, during the 1952 Defiance Campaign, under the Suppression of Communism Act. In this case (Transvaal v Mandela 1954 (3) SA 102 (T)) they were unsuccessful as the Court found that the offence did not show a lack of integrity regarding his fitness to act as a lawyer. However in 1965 the Johannesburg Bar Association succeeded in its application (Society of Advocates of South Africa (Witwatersrand Division) v Fischer 1966 (1) SA 133 (T)) to strike Bram Fischer (chair of the Johannesburg Bar Council and member of the Communist Party) from the roll for conduct unbefitting a member of the Bar (Mellet, 2003).

A second example was through the use of apartheid legislation. All attorneys were obligated to seek membership of the Law Society in the area they wished to practise. For black candidate attorneys the Bantu Homelands Citizen Act (1970), which removed their South African citizenship and reallocated it to 'their' ethnic homeland, added to the discrimination they faced. They were expected to practise in their 'ethnic homeland' and join the (black) law society in that area. This was highlighted in the case of Dikgang Moseneke. Having passed the attorney's admission exam in 1977 he applied for admission as an attorney and submitted his papers to the Transvaal Law Society. The Law Society filed a notice to oppose his application on the basis that he was no longer a South African citizen and therefore not eligible for membership. The court, in a now celebrated case (Exparte Moseneke 1979 (4) SA 885 (T)), found in his favour and he was eventually admitted as an attorney (Moseneke, 2016, p. 165-167).

In the main professional associations actively discriminated against black legal professionals and enforced social closure. Self-regulating associations do not exist outside of the norms and values of the wider society and its dominant ideologies; furthermore, they used their regulatory powers to protect their interests. They were complicit in the oppressive project of the Apartheid State and used it to advance the interests of their (white) members (Gauntlett, 1998; Moseneke, 2016, p. 212-214). Furthermore I argue their complicity ensured the state never acted against the profession as a whole (TRC, 1998).

In response, black lawyers formed the non-regulatory Black Lawyers Association (BLA) in the late 1970s (BLA, n.d.a.; Moseneke, 2016, p. 206-220). Of concern were the many ways in which black legal professionals were discriminated against and the lack of support from the statutory law societies. Black legal clerks found it difficult to find employment as interns and there were strong perceptions

that the Law Societies enforced different standards for black and white lawyers (Moseneke, 2016, p. 213). Law societies did little to assist black legal professions charged with contravening the Group Areas Act. Beyond this black lawyers faced discrimination daily; "all of our professional challenges occurred within ever-increasing state repression and racial injustice" (Moseneke, 2016, p. 213).

Both the BLA and the National Association of Democratic Lawyers (NADEL) formed in 1987, drew their membership from all sectors of the legal world—attorneys, advocates, paralegals, judges, and students. The BLA concerned itself with matters that discriminated against black legal professionals while NADEL focused on ensuring justice within the legal system for those excluded and discriminated against (BLA, n.d.a.; National Association, n.d.).

Transforming the profession—associations post-1994

In April 1994 South Africa held its first democratic elections. The country embarked on a process of transformation and redress to atone for the violations of the past. The legal profession was part of this process. The Truth and Reconciliation Commission (TRC) which began its work in 1996 held a special hearing on the Judiciary (TRC, 1997). One of the areas of investigation was "racial and gender discrimination in the judiciary, legal profession and law schools" as well as the role of major role players which included the Bar Councils and Association of Law Societies (TRC, 1998, p. 94). The TRC found that the "organised legal profession generally and subconsciously or unwittingly connived in the legislative and executive pursuit of injustice," most commonly by silence but also through "active contributions" (TRC, 1998, p. 101).

The Association of Law Societies began a process of transformation in 1994. This involved discussions and negotiations with the BLA and the NADEL to enable the unification of the profession (Whittle, 1998). In March 1998 a new organisation, the Law Society of South Africa (LSSA), a national non-statutory body, was launched. The council comprised 50 percent representation of statutory bodies and 50 percent representation from the two non-statutory bodies (Whittle, 1998). The LSSA committed itself to "access to the profession, access to all areas of practice and the fusion of the attorneys … [and] … advocates professions" (van der Merwe & Whittle, 1998, p. 6).

The General Council of the Bar was challenged as the sole organisation of advocates with other Bars being formed. Mostly these new organisations framed their purpose in terms of equity and access to both the profession and legal services, sometimes with the implicit support of the state. In 1994 a group of fifty advocates met and constituted themselves as the Independent Association of Advocates of South Africa (IAASA). They were concerned with the way the legal profession was structured, including 'dual practice' and the accessibility of the profession to the public. Furthermore, they felt that the existing bars were sometimes exclusionary (Venter, 2015). There was a strong backlash from within the profession. The Society of Advocates of Natal set in place a motion (Society of Advocates of Natal v De Freitas and Another (Natal Law Society Intervening) 1997 (4) SA 1134 (N) at 1174) to strike the founder off the roll of advocates. The matter reached the Supreme Court of Appeal who dismissed the application, ruling that de Freitas was not a member of the Society of Advocates (Natal) therefore was not bound by their rules or disciplinary jurisdiction. In June 2013 IASSA changed its name to the National Bar Council of South Africa (NBCSA). They currently have in excess of 500 members and are accepted as a Bar Council (National Bar Council [NBCSA], n.d.).

The National Forum of Advocates (NFA) was established in May 1997. Advocates with at least three years of recognised practical experience were eligible for membership. Unlike the NBCSA the NFA observed the rules of referral. Their stated purpose was to create an association of advocates with expertise in criminal

law and to provide a legal home for those entering the profession after working in the courts, for example magistrates, hence the focus on criminal court experience and not pupillage (National Forum of Advocates [NFA], n.d.). By implication the association was not accessible to recently qualified legal practitioners wishing to qualify as advocates.

A new regulatory framework—The Legal Practice Act 2014

A draft Legal Practice Bill was released by the Department of Justice and Constitutional Development in August 2009 (DoJ, 2009). The major concerns of government, as stated in the Preamble, was that the legal profession was fragmented and divided due to it being regulated by different laws; it was not representative of South African society particularly as there were barriers to entry; and, the majority of South Africans were denied access to legal services because of costs. To address these issues and ensure the "accountability of the profession to the public" it was necessary to overhaul the existing regulatory framework.

Initially, government wished to remove the distinction between attorneys and advocates and create a unified legal profession, they planned to remove the practice of advocates only being briefed by attorneys and disband the Law Societies and Bar Councils. The South African Legal Practice Council (and Regional Councils) would become the new regulatory authority, with all members appointed by the Minister (DoJ, 2009). The Council would regulate all legal professionals (both attorneys and advocates), set norms and standards, allow for admission, enrolment, and registration as well as regulate the professional conduct of legal practitioners in the public interest through the establishment of an Office of a Legal Service Ombud (DoJ, 2010). In effect any semblance of self-regulation would be removed.

There was an immediate outcry from the legal profession (LSSA, 2009; Mtshaulana, 2009) and legal organisations made representations to government (LSSA, 2010; Vahed, 2011). By May 2012 when the Legal Practice Bill (No 20 of 2012) (RSA, 2012) was tabled in Parliament many of the most controversial measures had been removed. Parliament then began a process which allowed stakeholders and other interested parties to engage with the proposed legislation.

All parties claimed to be acting in the public interest, but their meaning differed greatly. For government public interest related to access (both access to the profession as well as access to justice) essential to its transformation agenda (RSA, 2012, p. 2). Legal professionals argued that the public interest could not be promoted outside of the interest of the profession. For the LSSA "the promotion of the interest of the legal profession will promote a profession that has integrity, subscribing to the highest standard of service delivery and ethics. All of these are not only beneficial to the legal profession, but will promote the public interest" (LSSA, 2014, p. 9).

Legal professionals and associations were apprehensive about the continued independence of the profession. There were concerns regarding the Legal Services Ombud, which would manage disciplinary issues, as well as, the creation of a new statutory body the South African Legal Practice Council (both replacing the Law Societies). In its submissions to the Parliamentary hearings the LSSA was at pains to dispute the belief that the Law Societies were "soft" on their members (Whittle, 2013). At the heart of the issue of independence was self-regulation. The GCB pointed to the "distinction between regulation and governance and emphasised that the legal profession was best suited to govern itself, while those aspects related to the protection of the public interest, such as access to justice and to the profession, fell in the province of government to regulate" (Hawkey, 2013, p. 30). However, the BLA differed, they pointed to the racially divided profession and felt that "political oversight with the view of regularising a society which is not perfect is instructive" (Hawkey, 2013, p. 26). Government was at pains to reassure all that the independence of the profession was not up for debate (Hawkey, 2011).

Many of the controversial and difficult issues, specifically around the "election procedure of the first council, the establishment of the first regional councils and their jurisdiction, powers, duties and functions, the process to abolish the law societies, [and the] mechanism to determine a fee structure" were "transferred" to the Transitional South African Legal Practice Council to solve (Manyathi et al, 2011, p. 11). The National Forum (as it was finally called) was given twenty-four months to resolve these issues, failing which it would be referred to the Minister to formulate the necessary regulations. The Legal Practice Act (No 28) was passed in 2014 and in February 2015 the transitional measures came into effect. The National Forum, composed of representatives of different stakeholders, primarily the various legal societies but also two people designated by the Minister, had two years in which to complete its work.

The agreement to delegate these matters to the National Forum put the regulation of the legal profession back into the hands of legal professionals. The National Forum was composed entirely of legal practitioners of whom all but two were nominated by existing legal associations. Their task was to make recommendations that would become law regarding governance, rules, the code of conduct and legal education. The Legal Practice Amendment Act 16 of 2017 was gazetted in January 2018; rules, regulations and the Code of Conduct were all finalised. The legal profession is now regulated by the Legal Practice Council a body almost entirely composed of legal practitioners.

Conclusion

After a long period of negotiation, the legal profession in South Africa remains self-regulating. Adams (2017, p. 71) indicates that the term is often used in different ways, however, here the professional body has the powers to both "establish criteria relating to entry to practice [...] and to ensure practitioner competence and service quality" as well as "the power to govern practitioner behaviour to ensure practice is conducted in an ethical and responsible manner". In the post-94 period the regulatory bargain between state and profession has been amended—in return for the right to self-regulate the profession has undertaken to transform its practices and ensure that barriers to entry as well as discrimination based on race and gender is removed and that the public has access to both the profession and to justice. This will be a difficult task—regulation can set frameworks in place but not necessarily eliminate continuing internal/firm mechanisms of closure. Research conducted by the Centre for Applied Legal Studies (2014) demonstrates the continued racism, sexism and discrimination in the profession now manifested more subtly through accent, class, language.

This article has provided a detailed account of the regulation of the legal profession over time in South Africa. It has demonstrated that both states and professional associations pursue their own agendas when bringing about regulatory change. The legal profession has been able to maintain self-regulation through striking a regulatory bargain with the state. During Apartheid the state allowed the profession to self-regulate provided they accede to the state's narrow definition of citizen and limit access to both the profession and justice in the interests of the white minority. After 1994, with the changes in political power, the profession negotiated a new regulatory bargain. The state allowed the legal profession to continue to be self-regulating provided the profession committed to transforming access to both the profession and the justice system.

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Splagchna Ngoni Chikarara

The Precariatisation of Zimbabwean Engineers in South Africa

Abstract: This paper discusses how occupational closure of the engineering profession in South Africa left Zimbabwean migrant engineers amongst the precariat ranks. It aims to answer the following research question: what is the nature of precariousness experienced by immigrant engineers in South Africa. An exploratory study of the experiences of Zimbabwean engineers is used to test out Standing's (2011) notion of the precariat as an emerging social class. Semi-structured and group interviews were used as data collection tools. The findings reveal that bureaucratic challenges in obtaining relevant work permits from the Department of Home Affairs, South African universities' reluctance to acknowledge Zimbabwean qualifications at par with local qualifications as well as a host of insecurities in the workplace left migrant engineers in precariat ranks.

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Skilled migrants generally struggle to maintain their professional status in countries they migrate to (Allsop, Bourgeault, Evetts, Le Bianic, Jones, & Wrede 2009; Girard & Bauder 2007). This paper speaks to and contributes to current debates in the sociology of professions literature by detailing the experiences of Zimbabwean migrant engineers, who were employed in a provincial government department in South African. It builds on and develops further the arguments discussed in this journal by Chikarara (2016). While Chikarara (2016) focused on the ways in which the Engineering Council of South Africa (ECSA) undervalued the academic qualifications of these migrant engineers thereby ensuring occupational closure, this paper widens the scope beyond the professional body's politics. It considers Zimbabwean engineers interactions with the South African government's Department of Home Affairs, and institutions of higher learning (universities) impacted their labour market integration. It further explores their workplace experiences within a provincial government department in Gauteng, South Africa. The analysis presented in this paper is framed within the broader discourse of occupational closure and Standing's (2011) concept of the precariat as social class is used as an entry point.

    Data were collected through semi-structured individual and group interviews over a nine-month period in 2011. This was further augmented by Department document analysis of official documents. The findings reveal that these migrant engineers faced bureaucratic challenges and semi-structured requirements from the Department of Home Affairs with regard to obtaining relevant work permits. They

also perceive local universities' requirements for post-graduate studies for foreign nationals with an engineering undergraduate qualification from Zimbabwe as unnecessarily stringent and a subtle form of gatekeeping which slows down their career progression. In the workplace they had no job security since they were employed on fixed-term contracts with no guarantees of renewal or opportunities for promotion.

The paper is structured as follows: first, a review of the literature on the labour market integration of migrant professionals in migrant-receiving countries is presented. I then introduce the theoretical framework that shapes the analysis presented. Thereafter, I present and discuss the key findings of this study demonstrating the precariatisation of Zimbabwean migrant engineers and the paper ends with a reflection on the theoretical significance of this case study

Labour market assimilation and exclusion of international professional migrants

Prior to the 2008 global economic crisis, many countries were loosening their migration policies to allow for the smooth inflow of people with needed expertise. For instance, Khoo, Hugo, and McDonald (2008, p. 196) observed that in Australia "there has long been recognition that in order to be globally competitive the national economy must have an on-going access to a highly skilled labour force". To that end immigration was a major source of such expertise as temporary migration visas were developed to attract skilled workers in particular occupations. Until the 2008 global economic crisis, this was the trend across the globe especially in the developed countries (Kofman & Raghuram, 2005). The revival of far-right politics in Europe, the USA and to some extend Australia amid the "war on terror" and slow global economic growth post-2008 gave impetus to anti-immigration policies.

In an era that is characterized by fragmented and flexible labour markets, the biggest challenge for migrant professionals is attempting to maintain their professional or middle-class status in the host country. Literature (Allsop et al., 2009; Girard & Bauder 2007; Standing 2011) is awash with empirical examples of the struggles of migrant professionals in the Anglo-American and Western European contexts. Furthermore, the focus on temporary migration by developed countries has resulted in migrants becoming the predominant group among the precariat ranks regardless of whether there are skilled professionals or not.

In the United States, migration policies in the 1990s were designed to meet the demands and needs of employers and the advancement of economic growth and innovation. For example the H1-B visa scheme, which required no assessment of qualifications although applicants were required to hold a university degree, was considerably successful (Iredale, 2005). However, the Trump administration has aggressively introduced restrictive changes to this visa programme. For instance premium application processing was temporarily suspended from April to October 2017 (U.S. Citizenship and Immigration Services, 2017) and was suspended again from March to September 2018 (U.S. Citizenship and Immigration Services, 2018). Canada's approach allowed for the selection of permanent migrants for their generic skills but since there was little pre-migration assessment of qualifications migrant professionals were unable to practice their professions upon arrival and were more likely to be unemployed or take long to find work because of the uncertainty over the worth of their degrees without accreditation (Boyd & Thomas 2001; Iredale, 2005).

The under-utilization of migrant professionals in Canada is further compounded by the fact that although the migration policy is aimed at importing professionals (Bascaramurity, 2017), it does not address issues around the integration or utilization of such migrants. Furthermore, in Canada trades and professions are regulated at provincial level, each of the 12 provinces has the authority to impose specific

requirements for accreditation. This creates a structural gap between the federally regulated immigration policy and the provincial-level professional regulation system which results in the underutilization of skilled immigrants (Boyd & Thomas, 2001; Girard & Bauder, 2007). In Europe applicable policies and procedures differ according to the origin of the migrant. In principle for European Union (EU) migrants, there is a system of mutual recognition of qualifications. Professional immigrants from outside the EU face challenges since each country assesses them in their own way (Iredale, 2005). However, new developments such as the impending withdrawal of the UK from the EU may potentially destabilize mutual recognition of qualifications.

The integration of professional immigrants in the host country's labour market is also impacted by how they are treated by professional associations, local universities, and employers. Boyd and Thomas (2001) observed that immigrants who studied engineering outside Canada in institutions that are not in the USA, UK or France are required to take up a program of study that is accredited by a Canadian association in order to work as a professional engineer. Medical doctors and teachers among other professional groups are also affected (Boyd & Schellenberg 2008; Beynon et al 2006). In Sweden, for example, immigrants who invest in Swedish education still have a higher risk of unemployment than locals (Duvander, 2001). Employers' attitudes and "cultural arrogance or superiority complex" were reported as factors leading to the exclusion of migrant professionals in the Canadian labour market (Girard & Bauder, 2007).

Skills shortages and migrant professionals in the South African labour market

While the "South-North" skilled migration has been thoroughly studied over the years (Boyd & Thomas, 2001; Iredale, 2005) there has also been an increase in the "South-South" migration of skilled workers although this has been shadowed by rapid and rampant increases of undocumented migrants, frontier workers, and refugees (Adepoju, 2000; Standing, 2011). In recent times South-South skilled migration is gradually receiving scholarly attention (see Rugunanan, 2017).

South Africa is one of the most favourable destinations for skilled immigrants from within the African continent. Due to its long history of skilled shortages, South Africa needs the contributions made by skilled international migrants. One of the factors that contributed to skills shortages in South Africa is that the apartheid state legislated the occupational closure of professions, including engineering, along gender and racial lines (Bonnin & Ruggunan, 2016). Occupational closure for black South Africans and women significantly reduced the pool of skilled workers, which led to qualitative and quantitative skills constraints during and beyond apartheid rule. Women, in particular, were under-represented in occupations requiring high levels of skill and the few who got in such occupations had limited access to training opportunities (Moleke, 2004).

South African capital's quest for labour market flexibility since the mid-1990s, as well as the change from an inward-looking macroeconomic framework to open up local markets to world necessitated the shift from the emphasis on a semi-skilled labour force to a highly-skilled labour force (Standing et al., 1996). This happened against the backdrop of an education and vocational training system that was purposely designed, during the era, to equip black South Africans with skills primarily applicable to rural agricultural contexts or the routine work at the mines and the factory floor (Paterson, 2004). After the democratic transition in 1994, cyclical economic growth, the increasing emigration of skilled workers, low throughput of engineering students at universities, and negative reactions to transformation policies by white workers were responsible for the skills shortages (Du Toit & Roodt, 2009; Lawless, 2005).

The post-1994 South African government introduced various legislative interventions to promote skills development within the country as well as attracting international skilled migrants. For example, in 2000 twenty-five Sector Education and Training Authorities (SETAs) in different economic sectors were established to cater for skills development (Martins, 2005). Despite a seemingly good start, there many problems with the SETAs including corruption and financial mismanagement (Lee, 2002; Martins, 2005). This meant that the skills shortages continued unabated.

In 2006 the Joint Initiative for Priority Skills Acquisition (JIPSA) was established. This was a joint partnership between the government and the private sector aimed at developing local skills (Lowitt, 2007; Parker, 2009). In 2009 JIPSA was expanded into a nation-wide Human Resource Development Strategy of South Africa (HRDS-SA). The HRDS-SA aimed at creating a broad-based focus on developing skills and training initiatives while seeking to align the supply of skilled labour with labour market demands (Parker, 2009). These efforts were met with uneven success.

On the immigration front, the Immigration Act No. 13 (2002) was designed to attract skilled workers from other countries to fill the skills gaps in the country. As a result, hundreds of thousands of quota work permits (critical skills visas) have been issued to date. Civil engineers form a significant cohort of the recipients of these permits (Lowitt, 2007). The relaxation of immigration laws in the early 2000s coincided with the onset of a dramatic decline in the Zimbabwean economy. Hundreds of Zimbabwean engineers moved to South Africa in search of better-paying jobs. There have been continuous changes in immigration laws since 2002 which largely introduced stringent requirements with regard to obtaining work permits and for families of skilled immigrants to obtain necessary visas to live in the country. Nevertheless, there is still significant documented immigration although the number of work permits issued yearly has been declining. For example, in 2014 the DHA issued 69 216 temporary residence permits of which 18 184 were work permits (Statistics South Africa, 2015). In 2015 the DHA issued a total of 75 076 temporary residence permits of which only 12 354 were work permits (Statistics South Africa, 2017).

Casualization of work in South Africa

Phenomena such as labour broking, externalisation, subcontracting and various forms of informalisation in search of "flexibility" in post-apartheid South Africa make employment relations precarious. By the mid-2000s the "casualisation cancer" in South Africa had reached the point where most casual or temporary workers remained perpetually in this status and are in effect "permanent casuals" (Bezuidenhout, Theron & Godfrey, 2005). In 2006 "at least 70% (of the South African construction workforce) worked on a contract basis" (Mokoena & Mathimba, 2006, p. 40-41). Attempts to arrest the situation included amending the South African Labour Relations Act (LRA) No. 66 of 1996 on a number of occasions to protect vulnerable workers. Nonetheless, with each legal adaptation South African employers found ways to "make regulations that are premised on standard employment contracts obsolete" (Bezuidenhout, 2008, p. 183). By 2015, very little had changed in this regard and another LRA Amendment Act (section 198B) came into effect which was aimed at protecting temporary workers employed for longer than three months. It became compulsory for employers to treat fixed-term contractors the same as they do permanent employees.

In view of this context, the precariatisation of Zimbabwean migrant engineers is not a result of them being targeted due to their nationality but as a consequence of the continuous restructuring of the South African labour market and the global class structure. Notwithstanding this, the general public and many politicians see immigrants, skilled or unskilled, as a threat to local people's employment opportunities. International skilled immigrants take up relatively better-paying jobs that are beyond the reach of many unskilled locals. At the same time, as non-citizens,

they are faced with constraints for upward mobility and they end up occupying a floating, truncated status with many of the precariat characteristics (Standing, 2011). For example, Chikarara (2016) found that Zimbabwean engineers were frustrated by the long and complicated process for professional recognition and perceived ECSA as a "gatekeeper" reserving the engineering profession for white male engineers.

The precariat: a class in-the-making?

Theoretically, this paper draws on the work of Guy Standing, particularly his controversial concept of the precariat popularized in his book entitled "The Precariat: A new dangerous class". According to Standing (2011), the precariat has grown to be global class that is set apart from others by its inherent lack of stability and migrants form a substantial part of this growing class. Furthermore, it can be argued that the precariat is Janus-faced. In one hand they can be seen as "victims, penalized and demonized by mainstream institutions and policies" (Standing, 2011, p. 2). On the other hand the precariat can be hailed as heroes who have rejected and defied those institutions displaying their agency. In Standing's view, key features of the precariat are "precariousness of residency, of labour and work and of social protection" (Standing, 2011, p. 2).

In addition, the precariat has three distinguishing class characteristics namely: distinctive relations of production, distinctive relations of distribution and distinctive relations to the state (see Standing, 2014). It is important to note that the precariat is still a class in the making, it has not yet developed its own political agenda hence it remains fragmented. It is by no means a homogeneous group; rather there are ranks within the broader class. In other words it should be seen as an ideal type.

Standing (2011, p. 8) sums up the nature of the precariat by stating that as a class:

It consists of people who have minimal trust relationships with capital or state making it quite unlike the salariat. It has none of the social contract relationships of the proletariat, whereby labour securities were provided in exchange for subordination and contingent loyalty, the unwritten deal underpinning welfare states. It has a peculiar status position in not mapping neatly onto high-status professional or middle-status craft occupations.

In addition, the precariat lack a work-based identity hence they feel that they don't belong to an occupational community. This further compounds their sense of alienation, erodes any sense of organizational loyalty or trust making them very opportunistic and instrumental in what they do. Standing (2011) contends that all international migrants are denizens, which means that they do not easily get citizenship or assimilate into local communities so they end up with different groups having some rights but not others. For instance, those who possess professional qualifications are not given professional recognition simply because there is no mutual recognition of qualifications and standards (Standing, 2011).

In his earlier work, Standing (2009) argued that the class inequalities in the world could be addressed by promoting and adopting the values of occupational citizenship and doing away with what he calls "corporate citizenship". These values include among other things solidarity, identity, and self-determination which would require the establishment of occupational guilds or international trade unions. Time will tell if the precariat will develop these values considering its fragmented nature.

Criticism of the Precariat concept

The idea of a global precariat class has drawn much attention and criticism from certain academic circles. For instance, Breman (2013) dismisses the concept of a precariat class as a bogus one arguing that there was no material difference between the ploretariat and the "precariat". Others such as Allen (2014), Choonara (2011) also dispute Standing's characterisation of the precariat as a class arguing that it was

unnecessary to create divisions within the working class. Scully (2016) questions whether or not the precariat is a new phenomenon, arguing that precarious work has been a mainstay for the greater majority in the global South. However, none of the critics can deny empirically the changes in the global labour market as well as the fragmentation of classes taking place globally. It is not easy to overlook dismiss Standing's (2012, 2014a&b) claim that the precariat is being subjected to the precariatisation process which habituates them to expecting to lead unstable lives in precarious jobs.

The precariat concept and the occupational closure discourse

Standing's concept of the precariat fits well with the neo-Weberian and neo-institutionalist perspectives on professional groups (Saks, 2012 & 2016) and the geral discource around occupational closure in professions. Occupational closure can be achieved by either restricting access to opportunities to receive academic training in a particular field of specialisation or by restricting the supply of labour that can legally practice the tasks that are under the particular jurisdiction of that occupation. The result is that trained workers remain in short supply (Bol & Weeden, 2015; Weeden, 2002). In same vein Standing (2011) pinpoints occupational licensing as a powerful tool used to deny economic rights to skilled migrants around the world and they end up in the precariat ranks.

It has been argued that professions are camouflaged powerful, privileged, and self-interested monopolies based on occupational closure (Evetts, 2003). In addition, they lobby other stakeholders, even against economic logic, to protect their financial gains (Leicht, 2016). In addition, Bol and Weeden, (2015) observed that with state backing, professional bodies issue licences that allow licence-holders exclusive rights to practice a set of skills or to use a particular occupational title (see also Saks, 2012 & 2014). Supplementary requirements such as paying annual membership fees, accepting a code of ethics and conduct and demonstrating competence are imposed in addition to a set minimum academic qualification for licensure (Bol & Weeden, 2015). It is important to underscore the fact that, globally, the framework of professional regulation is rapidily changing (Bellini & Maestripieri 2018; Saks, 2016; Tracey, 2017). This is also true in South Africa where there are calls for more inclusivity and accountability in self-regulated professions including engineering (Chikarara, 2016). Despite global changes and challenges to professional self-regulation (Chamberlain, 2015; Saks, 2015) it still persists in some contexts albeit in altered forms and through different methods (Adams, 2017).

Design and methodology

This paper is based on an exploratory study. As stated earlier, it builds on the study by Chikarara (2016) and draws from the same empirical data set. The sample comprised of twelve participants from Zimbabwe: ten men and two women between the ages 31 and 43 who had been working in South Africa for a minimum of three years between 2006 and 2011. Purposive and snowballing sampling techniques were employed. This case was made up of academically qualified Zimbabwean engineers who were employed in one provincial government department in South Africa. Written informed consent was obtained before the interviews were conducted and for ethical reasons the names of participants used in this study are pseudonyms. In addition the name of the government department where they worked and actual locations of their offices are not mentioned to ensure anonymity. See Table 1 below for a brief profile of the participants.

Total Number of Respondents	12
Age Range	31-43
Gender	10 men and 2 women
Engineering Qualifications	9 had Honours Degrees in Engineering, and 3 had Diplomas in Civil Engineering
Waiting Time for a Work permit	From 4-18 months
Working Experience (Zimbabwe)	From 3-16 years
Working Experience (South Africa)	From 3-5 years
Length of employment contract	All were on 5-year fixed-term contracts
ECSA membership status	3 were non-members and 9 were registered as candidate engineers

Table 1: *Summary of the profile of participants*

Data was collected through eight semi-structured individual interviews which lasted between 45 to 90 minutes. In addition, a focus group interview comprised of four participants was conducted to tease out any new information that interviewees may have been reluctant to discuss in individual interviews. The focus group interview lasted for 90 minutes. This turned out to be a more vibrant discussion compared to the individual interviews as participants shared and discussed their experiences. Thematic analysis of the data was done to discover variations, portray shades of meaning, and examine complexities of the phenomenon under study (Rubin & Rubin, 2005).

The following section presents the findings of this study divided into three themes. As stated earlier, the aim of this study is to explore the nature of precariousness experienced by immigrant engineers in South Africa and test out the analytical usefulness of the concept of the precariat.

The first hurdle: dealing with the Department of Home Affairs

In order to access the South African labour market, a migrant professional is required to obtain a valid work permit. Hence, South African companies are not legally allowed to hire an international migrant worker without him or her first obtaining the necessary permit. At one fell swoop, in order to process and issue a work permit the Department of Home Affairs requires that an individual obtain a firm job offer from their prospective employer. This bureaucratic procedure complicates and

delays the process of legally hiring a foreigner whether or not they possess "scarce skills".

The length of waiting time is perceived to be too long by the informants. This goes against the spirit of the Immigration Act No.13 of 2002 which was designed to ensure that permits "are issued as expeditiously as possible and on the basis of simplified procedures and objective, predictable and reasonable requirements and criteria." Given delays and the pressure to urgently find skilled staff, some companies allowed migrant professionals to start working while the documents were being processed. In other words, in the strict sense of the South African immigration law such individuals were illegally employed. In most cases, despite being highly skilled, migrant professionals in this situation are open to exploitation and are subjected to poor conditions of employment. This fits with Standing's (2011) contention that the precariat does not map neatly into either high-status professionals or middle-class status. It also brings into focus the inherent insecurities faced by precariats.

Nonetheless, it is important to highlight, at this juncture, that though they submitted themselves to work under adverse working conditions it was only temporary. Their agency is seen clearly in the fact that such individuals quickly looked for a new job as soon as they obtained their work permits and in some instances even before they were issued with such work permits. Local employers often would try to make these migrant professionals feel as if they were actually being done a favour to be offered a job without the necessary permits. This is a line of thinking that is commonly used by employers in the construction industry to silence the voices of unskilled migrant workers (Goldman, 2003). Therefore it can be argued that this part of the precariatisation process for these migrant professionals whereby they are habituated to expect to lead unstable lives in precarious jobs (Standing, 2014a&b). It is important to note that the process of precariatisation for migrant professionals in South Africa is initiated as they engage the department of Home Affairs in an attempt to obtain the work permits which gives them the right to work in the country. All the participants in this study had finally managed to obtain the required work permits, but as would be shown later they remained in precarious employment.

Dealing with South African institutions of higher education

Frustrated by the barriers to professional citizenship (see Chikarara, 2016) participants in this study also sought to strengthen their labour market position by enrolling for post-graduate studies with a local university. They also believed that obtaining a qualification from a local university would bolster their chances for registration as professional engineers with ECSA. All the participants were either enrolled for or had recently completed a post-graduate course with a South African institute of higher education. However, their attempts to further or upgrade their academic qualifications were at times stalled due to the reluctance by some South African Universities to acknowledge Zimbabwean qualifications on par with local qualifications. This applies especially to the participants who hold Zimbabwean diplomas obtained from Zimbabwean technical colleges, the equivalent of South African Universities of Technology commonly known as Technikons. These individuals were asked to re-do or take bridging courses to up-grade/supplement their diplomas before they were able to enrol for post-graduate studies. The following examples reveal how they felt about this:

> …re-doing my Diploma the way they want it here, which is just boring to study the same thing over and over again and they can't even see that these persons, in all the Universities where they re-do them, they are actually passing with ease, something is not being evaluated well...they used to take previously but I think this thing of promoting locals so they would want to make it a bit difficult for

foreigners to get ahead (Orbet: 30/06/2011).

> I was studying at one of the Technikons … you find that their diploma has so many subjects but if you look at the coverage it`s the same, because I realized that nothing much was new. So I don`t know the basis for them rejecting our qualifications because actually we are doing, performing at the same level even far much better than the locals (Silvia: 20/09/2011).

This further frustrates these Zimbabwean engineers, they felt that they were systematically kept at the 'margins' of the labour market and their efforts to escape the precariat ranks were effectively stalled. Drawing from the Neo-Weberian and Neo-Institutionslist's perspectives on the professions (Saks, 2016) it can be argued that institutions of higher education play a key role in the process of ensuring occupational closure in the engineering field in South Africa. One of the participants claimed that South African universities in the past used to accept Zimbabwean qualifications without questioning their worth but recently there has been a tightening of requirements. It can, therefore, be argued that the tightening of requirements, specifically for foreigners who want to apply for postgraduate studies in engineering, limits their professional growth and the potential competition on the labour market from such migrant professionals. The effect is increased labour market insecurity for the migrant professionals who are affected which furthered their precariatisation. This invokes Standing's (2011) views on occupational licensing as a tool used to limit the economic rights of skilled immigrants.

Dealing with tensions, fear, and insecurities in the South African workplace

The South African workplace plays a key role in deepening the sense of precariousness for these migrant engineers. To begin with, in some instances, prospective employers lured, using false promises, prospective migrant professionals to come and take up a job instantaneously. In such cases, employers presented the prospective employee with an offer of employment before he or she actually comes to South Africa. Conditions of employment and remuneration were negotiated whilst the individual is still in Zimbabwe as the following example shows:

> ...I left the first company within a month…when they invited me here they made certain promises under the offer which they didn't live up to and when I got here I realized that actually I could get better from the other companies. So when the other company offered me a much better offer and better working conditions I simply moved to the next company (Keita: 01/10/2011).

When this participant eventually arrived in South Africa he realized that he was "tricked" into accepting a salary that is way below the prevailing rates. In some extreme cases the employer would actually refuse to pay what they had promised to pay. Consequently, these migrant professionals quit their first job instantly when they were presented with a better offer and increasingly became opportunistic with no organizational loyalty. This is one of the attributes of the precariat (Standing, 2011).

All the participants in this study had worked for other South African companies before they joined this government department on five-year fixed-term contracts since in 2009/2010. Hence, by the time of the interviews, in 2011, they were at least halfway through these contracts. Being employed on fixed-term contracts without the option of a renewal meant that these professional immigrants lived in fear, not knowing what will happen at the end of their contracts. The anxiety brought about by this situation is illustrated in the following interview excerpts:

...job security is not very good, its contract, they wouldn't employ foreigners on a permanent basis...so until I become a permanent resident and I get a South African ID that's when they can make me permanent depending on that time, because when we started our Zimbabwean colleagues who had acquired permanent residency got permanent jobs (Orbet: 30/06/2011).

It`s not clear whether it`s going to be renewed or not...our contracts are quite vague actually, because they say they will post us as and where there is need, so I am here at the moment and I don`t know where or whether I am going to be posted somewhere tomorrow, so for five years we don`t know where we stand (Silvia: 20/09/2011).

It depends on whether they still need us or not. Of which I feel the problem is they want engineers they don`t have professionals. So I think their aim was to get foreign engineers to train the locals and get rid of them (Chinotimba: 27/09/2011).

This further demonstrates how migrant professionals do not map easily into either core or periphery of the labour market. They have access to some of the opportunities and benefits offered to the "core" group of employees and at the same time they share the same problems with the employees in the 'periphery' segment in terms of the precariousness of their jobs (see Standing et al., 1996). Although they are employed on a full time basis like the core group, these migrant professionals find themselves in the periphery of the labour market because they are only hired on fixed-term contracts with no guarantee that they will be retained after the fixed contracts run out.

Citizenship or permanent residency is key for job security. South African citizens with scarce skills are offered permanent jobs. Some participants claim that Zimbabwean engineers who managed to get permanent residency were also offered permanent jobs. Although these migrant engineers were hired at the same time to occupy posts at the same level by the same organization; those with permanent residency were given permanent jobs while those on work permits were offered fixed-term contract employment. In addition participants were asked if they had ever been promoted whilst working in South Africa and whether or not they felt they had a chance for promotion in the future. These are some of the responses:

I don't foresee us being promoted, now that's where the issue of being a foreigner comes in. I don't think they really like us getting into administrative positions…that means we have a ceiling…and the ceiling is where we are…so we cannot move up... it's very difficult to get promoted to positions that are perceived to be political, you have to have political backing somewhere (Nicky: 28/09/2011).

I haven't been promoted, where you start is just where you remain…promotion is something else...the level that I am now, here that's normally where foreigners end. Above this it becomes political appointees...For the locals it's all fine. They can move up until the highest level (Orbet: 30/06/2011).

According to Standing (2011) precariousness of residency is one of the identifying characteristics of the precariat. In their case precariousness of residency also limits their career progression through promotion. Evidently, opportunities for promotion are very limited if not non-existent; none of the participants in this study had been promoted while working in South Africa. Unless they leave the public sector these migrant professionals would not progress in their careers and will remain trapped in the precariat ranks. In addition to lack of opportunities for promotion, migrant professionals also face insecurities with regard to skills reproduction. Respondents

spoke about how their employer is keen to send them or sponsor them to attend work-related training but not post-graduate academic studies:

> ...the department has made it compulsory, all [the] employees must go for training in order to improve on their service delivery...I appreciate it if there is anything I need to learn...The idea is that whenever you are doing something the result must be perfect (Jones: 20/02/2011).

> When it comes to short courses it depends on the budget and who you know, it's a political organization, some people can go to as much as five training courses a year but if I apply I am told there are no funds (Maromo: 04/10/2011).

Zimbabwean engineers see this kind of training as a means of keeping themselves updated with new developments in engineering standards and technologies in their profession. Knowing that engineering is a dynamic profession that keeps on evolving, they believe that without continuous skills development they may become "dinosaurs". They also view professional short courses as opportunities for continued professional growth which can enhance their position in the labour market in the construction industry in South Africa. It equips them with some critical country and organization-specific skills. Their employer promotes work-related training rather than further academic training. Achieving 'functional flexibility' seems to be the driving factor for employers. Participants reported that they are required to attend several short courses and workshops on many different aspects of their profession in order to diversify their knowledge.

Discussion

This paper has demonstrated how Zimbabwean migrant engineers faced occupational closure in South Africa and in the process were relegated into precariat ranks. It has also shed some light on the precarious nature of the conditions of existence for Zimbabwean migrant engineers. While the immigration policy in general encourages skilled immigration, in practice the way the Department of Home Affairs has been managing immigration created unnecessary bottlenecks. There are, reportedly, long delays in processing critical skills permits. In addition there are confusing and contradictory requirements. These factors left these Zimbabwean engineers exposed to exploitation and put into motion their precariatisation process.

Participants in this study decided to register for post-graduate studies at local universities in order to strengthen their labour market position as well as bolster their chances of gaining professional status. However, there were still some challenges emanating from the fact that local universities were reluctant to readily accept Zimbabwean undergraduate qualifications. Participants were forced to either re-do their undergraduate studies or register for bridging courses to supplement their qualifications. This entrenched them deeper into the ranks of the precariat. Similar complaints are made by migrant professionals in countries such as Australia, the USA, and Canada (see Beynon et al., 2006).

The experiences of these migrant professionals in the South African labour market "tick all the boxes" as it were for the insecurities that define the precariat as stated by Standing (2011). In some cases, employers presented the prospective employee with an offer of employment before he or she immigrates to South Africa. This opened the opportunity for the company to offer less remuneration. Most of them did not stay long in their first jobs. Furthermore, although they were employed on a full-time basis, these migrant professionals were only hired on fixed-term contracts with no guarantee that they will be retained after the fixed contracts ran out. This meant that these migrant professionals and their families had to deal with the anxiety and fear of not knowing what was going to happen at the end of their

contracts. In addition, opportunities for promotion were very limited if not non-existent and they faced insecurities with regards to skills reproduction. In this case the employer only promotes work-related training rather than further academic training because they are only interested in achieving "functional flexibility" and not career development of these Zimbabwean engineers. From the time of data collection in 2011 to date the Immigration Act No. 13 of 2002 was amended in 2104. The amendments made it even more difficult for skilled immigrants to access the South African labour market and for their families move and live with them in the country (see BusinessTech, 2018; Eisenberg, 2019). Thus, the experiences of the participants in this study would most likely still hold true to date.

Conclusion

Theoretically, this paper has provided an empirical example that illustrates the existence of the precariat as it is described by Standing (2011). It is not possible to simply classify the Zimbabwean migrant engineers, whose experiences were discussed in this article, into either working class or middle class. Hence Standing's conceptualization of the precariat class best describes their condition of existence. It demonstrated, there are many different factors that intersect in the lives of Zimbabwean migrant engineers that give impetus to their precariatisation. Precariousness of residency, employment insecurity as well as limited opportunities for promotion and career progression relegates them into the precariat ranks. Bureaucratic processes in terms obtaining work permits and pursuing post-graduate qualifications from South African universities ultimately lead to occupational closure. This also increases the levels of precariousness among this group.

From a policy perspective, there is a need to realign the aims of the institutions discussed in this paper. To date, there is a disconnection between an immigration policy that is designed to attract skilled immigrants and the exclusive-protectionist approach by ECSA and local universities. As a region, Southern Africa would benefit from a harmonized training system that would produce mutually recognized qualifications through the region similar to that in the EU (see Iredale, 2005). This would improve quality of life for migrant professions as well as help reduce skills wastages.

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PROFESSIONS & PROFESSIONALISM

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How do Auditors Navigate Conflicting Logics in Everyday Practice?

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Abstract: Historically professional logic has shaped accountancy, increasingly it has been shaped also by commercial logic. This study moves beyond these distinctions for a better and more nuanced analyses of how actors (Big 4 auditors) navigate conflicting logics in their everyday practice. The study follows a qualitative approach and is based on views of multiple role players in the audit process of complex companies in Australia, South Africa and the United Kingdom. The study examines auditors' decision-making involving experts, rotating partners/firms and meeting regulatory inspection requirements. The study adds to the emerging debate around logic multiplicity at the institutional "coalface" by showing that auditors use balancing mechanisms (segmenting, assimilating, bridging and demarcating) to navigate and make sense of coexisting (professional, commercial and accountability) logics. Views of non-auditor role players, mostly overlooked in by institutional research at micro-levels, challenge the institutionalisation of connected logics and question the influence on audit quality.

Historically, professional logic has shaped accountancy (Suddaby & Greenwood, 2005), embodying the core values of objectivity, integrity, independence and rigor. Professional logic justifies professional status, which carries a reciprocal obligation to deliver on the social contract by protecting the interests of the general public (Edgley, Sharma & Anderson-Gough, 2016; Gendron, 2002; Lander, Koene & Linssen, 2013; Spence & Carter, 2014; Sikka, 2009; Suddaby, Gendron & Lam, 2009). In this paper, public interest is implicitly addressed by auditor independence and audit quality: "the higher the auditor's independence is, the better is the auditing quality and therefore the more the public interest is served" (Malsch, Tremblay & Cohen, 2018, p. 8).

Motivated by higher profits (Brock, 2006), paralleled by escalating fee pressures and client demands for consulting services and value-adding assurance services, Big 4 firms have operated from an increasingly multinational commercial business model (Greenwood & Suddaby, 2006; Lander et al., 2013; Sikka, 2009; Wyatt, 2004). They have reinvented themselves as multidisciplinary practices by expanding their offerings and recruiting a heterogeneous mix of professionals (Andon, Free, &

O'Dwyer, 2015; Greenwood & Suddaby, 2006; Hanlon, 2004; Suddaby, Cooper, & Greenwood, 2007; Suddaby et al., 2009; Suddaby & Greenwood, 2005). Hiring experts from diverse professional backgrounds initiated still ongoing changes to cultures and institutional logics within Big 4 firms (Hinings, 2012; Suddaby et al., 2007; 2009). Big 4 firms' drive privileges client interests, revenue generation and profit-seeking over wider public interests (Gendron, 2002; Picard, Durocher & Gendron, 2014; Spence & Carter, 2014; Suddaby et al., 2009), demonstrating their commercial logic shift (Greenwood & Suddaby, 2006; Sikka, 2009; Wyatt, 2004).

This study moves beyond the distinction of conflicting logics for a better and more nuanced analysis of how actors navigate conflicting logics in their everyday practice. Using interview data from multiple role-players involved in the audit of large complex companies this study explains how Big 4 auditors navigate conflicting logics in their everyday work. The research question is: How do Big 4 auditors navigate institutional complexity in their decision-making to maintain audit quality on complex audit engagements, particularly to (1) involve experts, (2) rotate firm or engagement partners and (3) meet regulatory inspection requirements?

Institutional logics, "the key means by which social reality is reproduced and changed" (Martin, Currie, Weaver, Finn & McDonald, 2017, p. 104), is an established research field. Research initially regarded co-existing logics as a temporary phenomenon during transition times (Reay & Hinings, 2009), while lately the continuous coexisting of conflicting logics is found in many fields, such as accountancy, and such logic multiplicity influences all actors simultaneously (Greenwood et al., 2006; Lounsbury, 2007; 2008; Reay & Hinings, 2009; Martin et al., 2017). Most logic studies focus on macro-level changes (e.g., organizational responses), while interpretations at the micro-level have been largely ignored (Bévort & Suddaby, 2016; Smets, Jarzabkowski, Burke & Spee, 2015). While past studies at the micro-level often used ethnographical approaches (Bévort & Suddaby, 2016; Smets et al., 2015) and offer in-depth understanding of single organizations or single organizational subunits, our study augments the limited body of multinational work on logic multiplicity (Spence & Carter, 2014) by analysing a multi-country data-set comprising the United Kingdom (UK), Australia and South Africa (SA). In addition, it expands qualitative research on multiple logics in the accountancy field (Greenwood & Suddaby, 2006; Lander et al., 2013; Suddaby et al., 2009), by including non-auditor stakeholder viewpoints. Thus, we obtained views of regulators and professional bodies (referred to as PB/R), audit partners (engagement partners (EP), talent partners (responsible for attraction, retention and development of staff) (TP)), and multidisciplinary experts within Big 4 firms (EX), and audit committee chairpersons (CACs), chief financial officers/directors (CFOs) and chief audit executives (CAEs) (heads of internal audit functions) of Big 4 firms' multinational clients.

This study addresses the vacuum on how institutional complexity is navigated at the 'coalface' of everyday work (Martin et al., 2017; Smets et al., 2015), thus focusing on everyday life "where the rubber of the theory hits the road of reality" (Barley, 2008, p. 358). The study expands on the model developed by Smets et al. (2015) to balance conflicting, yet complementary logics in practice. The study adds to the literature by showing that although auditors manage logic multiplicity in their everyday work, some non-auditor role players remained sceptical and questioned the influence of connected logics on audit quality. It points towards the temporal nature of the institutionalization of logic multiplicity even though the latter is routinely enacted within everyday practice.

The next section of this paper outlines logic multiplicity as theoretical background. Thereafter, the investigative method used in the study is discussed, and the study's findings are presented. These findings are then discussed; areas for further research are identified, and the researchers' concluding thoughts presented.

Theoretical background

In their seminal work, Friedland and Alford (1991) identified the institutions central to contemporary Western capitalism (capitalist market, bureaucratic state, democracy, nuclear family and Christian religion) which have shaped individual preferences and organisational interests. As institutional logics emanate from social institutions and they are potentially contradictory, there are multiple logics available to social actors (Jones, Livne-Tarandach & Balachandra, 2010).

Institutional logics form overarching sets of principles that explain how actors interpret and function in social situations (Greenwood, Raynard, Kodeih, Micelotta, & Lounsbury, 2011), and thus explain how organisations and individuals behave (Lander et al., 2013), including creating "the rules of the game" (Thornton & Ocasio, 2008, p. 112). Organisations are rarely dominated by a single logic (Lander et al., 2013): multiple and potentially conflicting logics usually coexist over extended time periods (Greenwood et al., 2011). A multiplicity of logics could be contested and fragmented by tensions between them (Battilana & Dorado, 2010; Edgley et al., 2016; Lounsbury, 2007; 2008). They can remain compartmentalized (segmented), be blended, selectively coupled (Pache & Santos, 2013) or assimilated when the core logic adopts some of the practices and symbols of a new logic (Skelcher & Smith, 2015).

Recent studies demonstrate the existence of competing logics (Blomgren & Waks, 2015; Greenwood et al., 2011; Greenwood & Suddaby, 2006; Lander et al., 2013; Lounsbury, 2007; Pache & Santos, 2013; Reay & Hinings, 2009). Most studies were done at the organizational level (Bévort & Suddaby, 2016; Smets et al., 2015), while those presenting a micro-level perspective tend to focus on actors with clout and ignore lower-profile actors (Martin et al., 2017). By neglecting their interpretation of institutional logics at "coalface" level, a "somewhat "un-inhabited" image of the organization" is portrayed in the literature (Bévort & Suddaby, 2016, p. 20). The few studies providing a micro-level perspective are not in the accountancy field (e.g. in healthcare (Andersson & Liff, 2018) and public welfare (Olakivi & Niska, 2017)). An exception is the longitudinal ethnographic study of Bévort and Suddaby (2016) reporting how individual accountants make sense of their new managerial roles and integrated professional and managerial logics. They found individuals were authors of varying identity scripts, thus showing reinterpretation of competing logics depends on individual interpretation (Bévort & Suddaby, 2016). Closer to this study is the ethnographic study of Smets et al. (2015) on reinsurance trading in Lloyd's of London. The study developed a conceptual model comprising three balancing mechanisms (segmenting, bridging and demarcating) which allow individuals to manage competing logics in everyday practice. They found individuals segment work practices pertaining to competing logics by using structural arrangements. These allow individuals to enact coexisting logics separately.

When individuals segment their work, they also introduce one logic into the performance of the other. They bridge logics by temporarily combining logics to exploit complementarities, thereby maintaining coexisting logics "as discrete so that they can feed off each other" (Smets et al., 2015, p. 35). Individuals use organizational peer-monitoring and self-monitoring structures to carefully examine their bridging practices, which Smets et al. (2015) label as demarcating, being activities that prevent "inadvertent logic blending or slipping" (Smets et al., 2015, p. 35). The three balancing mechanisms have a cyclical association; first by separating coexisting logics by segmenting practices, second by integrating co-existing logics (bridging) where mutual benefits follow and third by counter-balancing when co-existing logics are "teased apart" or demarcated (Smets et al., 2015, p. 37).

While the above covered a general discussion on logics, this study focuses on logics in accountancy. It explains multiple logics in Big 4 audit firms and expands on the Smets et al. (2015) model. A wide body of knowledge exists on the distinct logic shift in accountancy, away from primarily professional logic, towards a more

commercially driven logic (Greenwood & Suddaby, 2006; Lander et al., 2013; Picard et al., 2014; Sikka, 2009; Suddaby et al., 2009). Big 4 auditors are perceived to be privileging client interests and their own revenues over wider public interests (Gendron, 2002; Picard et al., 2014; Spence & Carter, 2014; Suddaby et al., 2009). They are prioritising their own growth and profitability, and extending their global reach (Holm & Zaman, 2012; Malsch & Gendron, 2013), and are entering new audit spaces (Andon et al., 2015). This commercial orientation necessitates reconfiguring firms' identities, changing traditional practices, structures and values (Blomgren & Waks, 2015; Suddaby & Viale, 2011). Commercial logic, however, has not totally eclipsed professionalism's historically demonstrated values/virtues of public duty, ethical conduct, and technical competence (Andon et al., 2015; Suddaby et al., 2009). Malsch and Gendron (2013, p. 880) recognize this duality as embodying "contradictory value clusters".

Previous research on logic multiplicity in the accountancy field only considered two logics (professional and commercial/managerial). Blomgren and Waks (2015) criticize this as a limitation, arguing that the degree of organisational complexity may be underestimated, while Greenwood et al., (2011) observe that particular responses may not have been fully understood. While the coexistence of several logics within organisations has been reported from other disciplines' perspectives (Ollier-Malaterre, McNamara, Matz-Costa, Pitt-Catsouphes and Valcour (2013) refer to the coexistence of strategic, benchmarking, and compliance logics in human resource practices), logic multiplicity within the audit environment has not previously been considered. This study introduces accountability logic which manifests in a compliance mindset.

Method

This qualitative study focuses on Big 4 firms because of their innovative audit practices: regulations are first translated into practice here, and individual professional identities are formed (Cooper & Robson, 2006; Humphrey, Loft, & Woods, 2009). Carter, Spence and Muzio (2015, p. 1204) regard the Big 4 firms as dominant in both "symbolic and material terms", underscored by their global reach, and see them as worthy of study in their own (collective) right. Thus, the Big 4 firms present an ideal platform for this study. The study draws on in-depth interviews with key stakeholders, those directly or indirectly involved in the audit process, including non-auditor role players that have mostly been overlooked in by institutional research at micro-levels.

Interview participants

After obtaining prescribed ethics approval, semi-structured interviews were conducted with two broad groups of stakeholders in audits of the largest listed public companies in complex industries. Stakeholders are those who are directly involved in the audit process (auditors, corporate management, and the members of corporate audit committees); and those who have oversight, public policy, or educative role in audit (regulators, standard-setters, Big 4 firms (as training institutions), professional accounting associations). Participants' views include cognitive aspects (perceptions, thoughts, interpretations,) which are implicitly biased (Lander et al., 2013). In this study triangulation was achieved by considering views of multiple stakeholders in

Australia, SA and the UK. The researchers identified significant public companies[1], each from a different industry and interviewed each company's EP, CFO, CAC and CAE, generating a total of 84 interviews. Table 1 identifies participants by country. Two participants each chaired audit committees for two different global companies, and another participant responded as an IT expert and as his firm's sustainability division head. Thus, 84 interviews effectively represent 87 role perspectives. Table 2 identifies participants by industry.

Table 1: *Number of participants*

Cohort of participants	Code	Australia	SA	UK	Total
Engagement partners	EP	2	8	7	**17**
Chairpersons of audit committees	CAC	2	5	3	**10**
Chief financial officers	CFO	6	6	3	**15**
Chief audit executives	CAE	-	5	4	**9**
Recruitment & training (talent) partners	TP	3	11	4	**18**
Professional bodies (including education/training directors), & regulators	PB/R	4	3	2	**9**
Experts	EX	-	6	-	**6**
TOTAL		**17**	**44**	**23**	**84**

Table 2: *Participants involved in the audit process classified by industry*

	EP	CFO	CAC	CAE	Total
Energy sector					
UK	2		1	1	**4**
Australia	1	2	1		**4**
SA	1	1	1[2]	1	**4**
Telecom					
UK	1	1	1[2]	1	**4**
Diversified					
Australia		3	1		**4**
SA	1	1	1	1	**4**
Pharmaceutical					

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[1] Six UK companies were chosen from the top 20, determined by market capitalisation; five SA companies were chosen from the JSE Top 40 index, plus a listed, South African managed, mining company; Australian companies were chosen from the top 100 by market capitalisation.

[2] One UK and one SA chair of an audit committee participant served on two audit committees, but as views were obtained for both companies their participation are double counted. The total is therefore twelve and not ten as reflected in Table 1.

UK	1	1			2
Banking					
UK	1	1	1^2	1	4
SA	2	1	1^2	1	5
Insurance					
SA	1	1	1	1	4
Retail					
UK	2		1	1	4
SA	1	1	1	1	4
Mining					
Australia	1	1			2
SA	2	1	1		4
Total	**17**	**15**	**12**	**9**	**53**

The interviews

Semi-structured interviews were guided by questions informed by an extensive review of relevant literature and from feedback from the study's funders[3]. Broad, "naturalistic" questions were posed to participants to elicit responses on relevant matters to interviewees (Alvehus, 2015, p.35) (e.g., how do you see the role and responsibilities of auditors change in future, describe the perfect mix of competencies for a perfect engagement team to perform a high-quality audit). After conducting a preliminary interview to verify the appropriateness of the questions and thereafter addressing suggested feedback, the 84 interviews were conducted in 2013 and 2014. Each interview, lasting between 30 minutes and two hours (averaging approximately one hour), was recorded and professionally transcribed and each participant had an opportunity to review their interview transcript and clarify/ amend any comments made during that interview.

Analysis

The transcribed interviews were manually analyzed by one researcher, using Atlas.ti qualitative data analysis software. The initial data analysis process involved identifying meaningful topics, categories, and themes; attaching data units to the appropriate category; revising initial categories and reorganising data according to these revised categories, and developing and testing propositions and conclusions emerging from the data. The analysis was independently reviewed by the other

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[3] Refer to the ICAS and FRC research report entitled The capability and competency requirements of auditors in today's complex global business environment (Barac, Gammie, Howieson & van Staden, 2016). Retrieved from:
https://www.icas.com/__data/assets/pdf_file/0003/239457/The-capability-and-competency-requirements-of-auditors-in-todays-complex-global-business-environment.pdf

authors. The data analysis was refined using "sensitising concepts" (Martin et al., 2017) from existing literature on institutional change. A more theoretical approach was followed to code the data according to the conflicting logic's influence on participants' decision-making. Through ongoing iteration between data and relevant literature (a first-level coding proceeding to a second level coding), logics emerged as conceptual categories. Also, patterns were identified that seem to underpin auditors' choices for coping with conflicting logics during decision-making. Any differences of interpretation were discussed and resolved collectively.

Findings

The findings of the study are presented in relation to auditors' everyday practice. Three decisions made by auditors during complex audit engagements are considered, namely; (1) involvement experts, (2) firm or partner rotation and (3) meeting regulatory inspection requirements.

Involvement of experts

All study participants identified today's complex business environment as one demanding a more diverse audit skillset, the presence of which is an important determinant of audit quality. Delivering quality audits was perceived by EP participants as their 'license to operate' (Australian EP), and sacrosanct. All CFO participants recognized business transactions have become multifaceted, information has increased in volume and complexity and these changes demand industry-specific knowledge and skills that do not necessarily fall within traditional auditing. Auditors can no longer be 'jack[s] of all trades' (SA CAE): industry complexity demands multidisciplinary audit teams.

All participants recognized escalating numbers of experts on audit teams, (usually in-house expert colleagues), who are present courtesy of expanding consulting divisions, "[Another Big 4 firm] have actually bought a firm of consulting engineers who are specialists in oil and gas and in mining" (UK EP). All EP participants confirmed they use in-house experts (often from the firm's consultancy division, an integral part of the firm's business model), and only look elsewhere if the expertise is not available in-house. The CFO participants welcomed the presence of in-house expertise, as this addressed concerns regarding consistency and confidentiality. Some non-auditor participants remained sceptical, holding that this practice risked compromising audit quality: their in-house experts' knowledge might not be the best available and although available to Big 4 firms' audit teams, experts direct involvement on audits is trumped by their income-generating consulting work.

The presence of experts within audit teams triggered debate around their likely impact on audit quality, particularly in an audit-only firm. Arguments against audit-only firms include that such firms would forfeit direct exposure to the innovative benefits of non-audit consultancy assignments and accumulation of industry-specific knowledge. Similarly, staff retention would be more difficult without the diversity of career-enhancing opportunities currently afforded by Big 4 firms' wider range of services. "I absolutely do not think that the Big 4 audit firms can exist and deliver the same level of quality in an audit only firm" (Australian EP). Retaining full-time, but under-employed experts also have cost implications for Big 4 firms. Arguments in favour of audit-only firms centred on the consultancy divisions (employing experts) that have already fundamentally changed the culture, and operational and financial/business models of firms. Experts increasingly joined firms at more senior levels and achieved partnerships without following "normal" progress through industry ranks. It could demoralise the audit side of firms. Table 3 uses balancing mechanisms to frame participants' perceptions on how they navigated logic multiplicity when deciding to use experts on large complex company audits.

Table 3: *Expert involvement: navigating logic multiplicity*

Segmenting conflicting logics		

Experts are in the Big 4 firms' consulting divisions and have a commercial orientation (CL).
 	
    Employing experts (many at a very senior level) has fundamentally changed the culture, and operational and financial/business models of firms (CL).
 	
    Expert skills are required to perform quality audits of complex, multinational companies and improve audit quality (PL).
	Commercial logic (CL)	**Professional logic (PL)**

	To say you could never recreate the audit-only firm, I think is wrong. In fact it could be very attractive because it will be the auditors running their own business again, rather than just being a part of a much larger organisation where the [dominant] culture is very different (UK CAC).
	
	    Many of them [experts] are in the consulting arms of the firms, and they do have their own fees that they chase, and their own clients (SA EP).
	
	    I do find that some of the actuaries, especially if they operate in a professional services firm have more of an advisory hat on than an audit hat (SA EP).
	
	    It would have been unbelievably exceptional for a big eight firm to have done a lateral hire at partner level. You would never have done that [30 years ago…] …Nowadays I would say 30% of the partners in big firms are lateral hires, not from [one of the] other big four but from all sorts of other organisations (UK CAC).
	
	    One of the big concerns is that audit, which used to be the DNA of the organisation, is no longer (UK CAC).
	
	    It [firm orientation] would depend on what the culture is within the firm: is it an audit firm or is it predominantly a consulting firm (UK CAE).
		That is a very different skillset to describing a company's strategy. That is not what they're [auditors are] competent to do. They all have consulting arms that can come in and tell you how to do that; that is a different set of skills (UK CFO).
		
		    I think we would obviously need different skills, in particular perhaps, skills that at the moment are more commonly associated with things like strategy consulting, and corporate finance, M&A advice, and forensic accounting review, such that you were thinking about things with different goals in mind (UK EP).
		
		    The Big 4 firms have those skills, but more in their consulting divisions. It is a matter of being able to draw on and access those skills (UK CAE).

Bridging commercial and professional logics		

Experts have to balance their consulting (CL) and audit support roles (PL) by utilising consulting opportunities to stay abreast of new developments.
 	
    Using in-house
	They're [experts are] happy to do audit support for 23-40% of their time but they also want to do cutting-edge consulting (SA EP).
	
	    If you try and only keep specialists [experts] there for the audit it's not a viable business model (SA EX).
	So I think they're [experts are] absolutely critical to contributing towards that audit (UK CAC).
	
	    I'm not sure I want a lot of third parties wandering	

experts is not only a viable business model for firms (CL) but assures client confidentiality and audit methodology consistency (PL) Experts (many of them situated in consulting divisions) (CL) are embedded in multidisciplinary audit teams to provide special needs to maintain audit quality (PL) Auditor trainees could obtain valuable experience (PL) by being exposed to Big 4 firms' consulting divisions (CL).	around; that doesn't make me feel very comfortable (UK CFO). You feel the weight of responsibility even more on an audit, so we would in our team meetings we would divvy out engagements, be they audit support or consulting, there'll never be any prioritisation to say one is more important than the other (SA EX). Because consulting provides you with the opportunity to really stay abreast and to learn and understand what is going on in your industry …you are unable to maintain the true technical expertise if you only audit (SA EX). With the input of specialists, which is absolutely fundamental, there is no single thing that I think [adds more] to audit quality, than having the right people involved in the team. By and large, that [is the] very specialist expertise we incubate in our non-audit part of our firm (Australian EP). We use valuation experts but those are often people that are not trained auditors …to tell them how to document things in an audit file and to apply our global audit methodology is quite an education process (SA EP). If you want to improve audit quality and improve the trust in the profession, all those things, then you want to have many more multidisciplinary teams rather than having to use your network to go and track down people when you need someone (UK EP). So we will second them [auditor trainees] to consulting or to tax or to risk advisory or to forensics or to corporate finance. Just to let them see other business within [the Big 4 firm] and broaden their experience (SA TP).
Demarcating connected logics	
A regulator participant questioned auditors' usage of experts on audits – it reinforces the need to analyse expert needs on audits (PL) to meet regulatory requirements. An audit committee chair participant questioned the depth of expert knowledge—it reinforces the need to analyse expert needs (PL) on audits to meet audit committee oversight expectations.	The question that flows from that is, "How many of them [experts] ever spend any time near an audit?" Because I don't argue that they [Big 4 firms] have expertise, for example they do in the actuarial world, but you tell me how much time they spend on the audit (UK PB/R). A lot of the firms will claim to have expertise, i.e. they have people that would appear to have qualifications in these areas. The big challenge for the user is you may have people that seem to have qualifications in this particular field, but how deep is the experience? (UK CAC). We have an engagement quality review partner …on these big assignments, it's always been there, but the auditing standards prescribe, prescribe it now, especially for U.S., the PCOB auditing standards has a specific standard on engagement quality review partners. Then internationally, again my clients, I have a SEC filing review partner as well (SA EP)

Firm or engagement partner rotation

At the time of this study several regulators had already introduced mandatory auditor rotation at partner level, whilst others were considering rotation at firm level to demonstrate auditors' professional independence and address familiarity issues. Participants from all cohorts also had strong views as to whether mandatory firm rotation was more effective than mere audit partner rotation, to demonstrate auditor independence. Those vigorously criticising and opposing firm rotation were mostly from the EP and CFO cohorts, arguing that audit failures occur more often in the

first year of the relationship than at any later stage. In addition to losing client-specific knowledge (potentially compromising audit quality), EP participants also maintained that mandatory audit firm rotation increases costs as new audit firms engage additional resources to obtain the required client-specific knowledge. CAE participants generally favoured audit firm rotation, while acknowledging its costly nature, and recognized that to build an optimal relationship takes time. However, the benefits of employing a different audit firm's methodology include the re-exposure of problematic issues previously accepted as "normal".

Some participants generally recognized that mandatory firm rotation limits their income streams and some questioned whether such practice could achieve complete independence. Participants were variously concerned about the impact of firm rotation on the Big 4 firms specifically: client-specific business and industry knowledge were seen as optimising factors impacting audit quality and the audit's effectiveness and efficiency. Table 4 uses balancing mechanisms to frame participants' perceptions on how they navigated logic multiplicity when deciding to rotate firms or engagement partners.

Table 4: *Partner/firm rotations: navigating logic multiplicity*

Assimilating conflicting logics		
	Commercial logic (CL)	**Professional logic (PL)**
Rotation has merit to improve independence (PL) Firms incur huge investments in social capital (and also in specific industries) and to have a return they need to retain audit clients (CL) Efficiency and cost implications as well as securing a long-term revenue stream from retained audit clients (CL) are important features in the audit firm rotation debate	There is an efficiency premium from sticking with the one firm and even the one partner but, you know, independence is so incredibly important as well so there is a trade-off and, at some point, companies probably should muscle up to [take] the decision (Australian CFO). I don't think [firm] rotation is necessarily the answer…I also think that the goal is being missed, if anything, it dilutes it long term, short term sure, everyone gets to eat from the pie, you know, but the Robin Hood theme doesn't work in a capitalist world, it just doesn't, we've also got to make profit (SA TP) So for firm rotation …[to] be there for ten years and then you rotate, give the firm the opportunity to invest in all the skills required and get a return on that investment because …we [audit firms] are not there for love and charity. We also need to make a living so you cannot just invest all the time (SA EP). If we have five to seven year rotations, then the institutional knowledge that a Big 4 firm has …systems, processes, controls, history, legal structure and everything, [its] very, very difficult to see	Familiarity does breed contempt (UK EP). Rotation is seen as one of those key things to embed independence… I am supportive of rotation but just the period needs to be reasonable, because you do get, you do get stale and complacent (SA TP), I've been involved in audits that I've done for years and years and years, and have also won some large audits and had to transition them from other firms. There's no doubt in my mind that if you do that transition effectively then I think the company can achieve a better quality audit, certainly for two or three years, than they were perhaps getting from the firm who'd done it for 20 years (UK EP). Individuals [have] to demonstrate their independence but I think the people in general that is in this profession and the leadership roles understands that their bread and butter is dependent on their integrity …It comes back to the question of rotation …the concept makes sense (SA TP)

	how a global firm can recreate that, and consequently, I suspect we will see more audit failures; certainly at subsidiary level, we will (UK EP).	
Bridging commercial and professional logics		
Partner rotation, rather than firm rotation, is the preferred alternative to demonstrate auditor independence (PL). By rotating the engagement partner, the firms retain the client (CL) Difficulties are encountered when embedding knowledge of the business and specialized know-ledge of the industry for newly acquired audits, and audit quality could be undermined when audit teams lack client-specific or industry knowledge (PL) It allows firms to share knowledge of the client and deliver quality audits (PL), whilst ensuring a return on investment made to service the client (skills, time etc.) (CL).	Yeah, well, rotating the partner is less onerous than rotating the firm. So we are rotating partners …It means that really you get four years, or three and a half years for a partner on their own. Because in their first year they're piggybacking off the old partner and in their last year they're teaching a new partner. So they have to have overlaps at the beginning and end, so really the partners are really only their own for three years out of the five (Australian CFO). I think partner rotation is good. You know, I don't believe in firm rotation, so I think partner rotation's sufficient. And the reason being, is the complexity of clients …[before joining the audit team] you don't have a clue what, what's in a massive company, you don't know. So it takes, it takes a lot of time. So on the partner rotation; I think it's just how you manage it. I'm on this client for at least five years, and then you're on the next five years, then I'm on the next five and so on (SA EP). I would be very reluctant for firm rotations for the simple reason that even within a firm I think at least when a partner rotates you have the audit managers and the clerks fairly familiar with it. If you have a firm rotation, I think it would probably take three-four years before clerks and managers and partners come to grips with it (SA CFO). Rotation was seen as one of those key things to embed independence.... it will take you five years just to understand …[a specific client in a complex industry] let alone really get your arms around it. And then, if I'm rotating in two years' time on these big clients, you bring in someone that will mirror or get to know the client. So when his five years starts ticking, he already knows the client. (SA EP). As a consequence [of audit rotation], you're going to see, in my view, a different style of audit, because there is little point in doing a fantastic audit – if I define 'fantastic audit' as one that management thinks really adds a lot of value – there's no prizes for doing that. You can't retain the client, and you can't win any additional revenues (UK EP). I think the firm rotation I think there is a certain amount of risk no matter how much effort you put into the one and…you do not know that client as well as somebody that has been on it for a number years. I think partner rotation is a good thing …we will try and keep the same partner and manager and then your second year following your third year of assignment so that you have a conti-nuity so that people understanding the assignment (SA TP).	
Demarcating connected logics		

Firm processes, including quality control processes, need to ensure independence is maintained (PL) - it reinforces the need to monitor partner independence on audits (PL) to meet regulatory requirements.	It's not necessarily about rotation of auditors. It's about closeness to the client and the ability and willingness to challenge the client, knowing that ultimately they're paying your salary. So there has to be recognition and processes within a firm to make sure that no client is bigger than the firm and we've seen Enron is the ultimate example where a client was bigger than the firm and therefore caused this demise (Australian EP). I'm therefore not a big supporter of rotation, definitely not firms, I can sort of see the benefit of partner rotation …though [you need] quality control process (SA EP).

Meeting regulatory inspection requirements

The formal monitoring using practice reviews ('regulatory inspections' in this paper) as the regulatory oversight process formed part of EP's everyday practice and they reported that regulatory inspections have increased in number and duration (''[The] level of scrutiny, and therefore accordingly, the rigor around what we do, has gone up exponentially over the years" (Australian EP)). These participants conceded that regulatory inspections have had a positive impact on audit quality, implicitly benefitting public interests, but that they need to "manage" the process, thereby following a compliance mind-set to ensure audit efficiencies and quality are maintained. Regulatory scrutiny requires an accountability logic and detailed documentation (seen as driving compliance behaviour) the outcome of which has been the emergence of two parallel audits: a compliance-driven audit ensures 'all the boxes are ticked' and an assurance-driven audit, aims at expressing an opinion. A compliance-driven audit, complete with multiple checklists and accumulated documentation, anticipating regulatory inspections (accountability logic), was much criticized by various participants who perceived it as having become auditors' primary focus.

Various study participants have observed a compliance-orientated mind-set in trainee auditors that are inhibiting the development of their critical thinking skills and professional scepticism in particular: "It tends to put pressure on auditors to be so compliance focused that it actually has negative effects on their scepticism and so on" (Australian EP). Following an accountability logic with a compliance-driven approach also risks making the workplace uninteresting, jeopardising the profession's recruitment of quality junior employees, and retention of senior audit partners and over the long term the audit itself could be compromised. Expanding on the Smets et al. (2015) model, Table 5 uses balancing mechanisms to frame participants' perceptions on how they navigated logic multiplicity when meeting regulatory inspection requirements.

Table 5: *Regulatory inspections: navigating logic multiplicity*

Assimilating conflicting logics		
Regulation in the audit environment has improved audit quality (PL). Audit work is shaped by regulatory inspections; auditors are becoming compliance driven (AL) and this could be to the detriment of audit quality.	**Accountability logic (AL)**	**Professional logic (PL)**
	The quality question then comes back to …checklist auditing because the only way that you can make sure a quality audit is delivered [based on regulatory inspections] is to make sure that everything has been done and the only way that you do that is to have checklist on checklist on	The regulatory environment has certainly improved the quality of the audits, and I do think we are doing better audits since we've been regulated and have had regulatory inspections (UK EP). It definitely influences

Two audits are running in parallel. The one requires a compliance mind-set to meet regulatory inspection requirements and demonstrate accountability (AL). The other is conducting a quality audit in public interest (PL).	checklist on checklist (SA TP). So the emphasis of the regulator, I think, drives us away from audit quality, not towards it. It drives us into lots of detailed documentation and away from talking to the client, understanding exactly what's going on in the business, asking the right questions (UK TP). Tick, tick, tick. And it can distract them [auditors] from what is really, what really matters (Australian CFO). The last time I counted, on an audit for a large company we had something like 124 checklists to complete. It's frightening (UK EP). They [auditors] are all spending more of their time doing … box ticking and arse covering… that's the reality (UK CAE). The advent of a compliance regime and audit inspections (all of which are absolutely right), create this compliance mentality (UK CAC). A lot of regulations actually result in a compliance auditor where they tick boxes and they can't think … and they don't exercise judgment or professional scepticism (SA EP).	what our regulator thinks is important. Influences how we look at quality …The impact of having a regulator that reports publicly on our findings, only ramps up the pressure on quality further (UK TP).

Bridging accountability and professional logics

Accountability towards regulators resulted in increased compliance behaviour. Two parallel audits are performed that need to be connected, thus also connecting the logics underlying these audits (AL & PL) When connected, standard checklists and programmes do not disappear (AL) but more is needed to go beyond the minimum and perform a quality audit (PL) that meet regulators' requirements Thus the regulator should not	… there are definitely two audits going on (UK EP). I think the way the world is structured presently, you need loads of technical accountants and regulatory compliance people and that's it (UK CAE). The process and the risk management approach within the firms is so around compliance, with the firms [using] prescribed methodologies and ensuring that everything is religiously completed as it should be (SA CAC). It can be quite a struggle to get those two [compliance and assurance audits] to be properly joined up (UK CAC). Do you have standard checklists and audit programs and so forth? …I think the answer is you still need something to make sure that those who aren't thinking do the minimum, but you want people to think beyond that, and it's actually up to the firms because it's really about things like supervision and review. You know the partner involved with the staff, the mentoring, all of those sorts of things, training people up to think beyond the box (Australian PB/R). From an audit quality perspective, is to focus on what matters most, as opposed to making sure my file is squeaky clean … Your client never sees the audit file. The only person who sees the audit file is the regulator. And I come back to the point I made earlier on - … we've got the wrong stakeholder in mind here. (SA EP).

be the main stakeholder (AL) but audit quality should prevail (PL)	
Demarcating connected logics	
Regulator inspection processes should remain and need to be driven by audit quality (PL) – it reinforces the need to independently monitor audit quality (PL). Firms' own quality control processes (PL) need to address shortfalls in audit quality (PL) and firms' remuneration policy should be driven by audit quality (PL)— it reinforces the need to proactively monitor audit quality (PL).	By having audit inspections and we would say quite to the contrary that we're actually trying to encourage auditors to think about the judgment issues, the big issues in an audit and to think beyond the requirements and the standards (Australian PB/R). Ultimately where there have been audit failures or where there has been poor auditing is picked up by the [specific regulator] (UK CAE) I see that all the time. The more you drive box-ticking, the more that becomes the defence, which is, "I did what I had to do; I did what was required of me." You say, "Yes, but the bad thing happened" (UK CFO). So it's making sure that our remuneration policy is not compromised and that all our monitoring activities, make sure we are monitoring audit quality and more importantly addressing where we believe there are shortfalls (SA EP).

Discussion

This study sought to understand how Big 4 auditors navigate conflicting logics in their everyday practice. Their firms did not buffer them from the influence of conflicting logics (Martin et al., 2017) and they had to integrate and adapt different logics (Bévort & Suddaby, 2016). In examining auditors' decision-making to involve experts, rotate partners/firms and meet regulatory inspection requirements, the study expanded the conceptual model of Smets et al. (2015) to balance coexisting logics. The study adds assimilating to the model's three interrelated balancing mechanisms (segmenting, bridging and demarcating) (Smets et al., 2015).

Segmenting involves "those practices that use given organizational structures to allow individuals to enact coexisting logics separately, where and when appropriate, to protect them from scrutiny by, and loss of legitimacy with, referent audiences of competing logics" (Smets et al., 2015, p. 32 & 33). It resonates with compartmentalizing in institutional theory (Kraatz & Block, 2008; Skelcher & Smith, 2015). It is the initial step in the balancing cycle and separates coexisting logics by segmenting practices that enact them, by assigning different logics to different locations with different referent audiences (Smets et al., 2015). Our study shows segmentation occurs when auditors decide to involve experts located in their firms' consulting divisions on large complex audits. They realized that boundaries between auditing and consulting services are increasingly blurred (Barrett, Cooper & Jamal, 2005). While consulting divisions coincided with commercial logic (Greenwood & Suddaby, 2006; Sikka, 2009; Wyatt, 2004), auditors' decisions and processes to conduct quality audits were influenced by professional logic (Malsch & Gendron, 2013; Spence & Carter, 2014). Recent studies confirmed auditors rely significantly on their in-house experts (Cannon & Bedard, 2017; Griffith, 2019).

Different organizational structures were not as evident when auditors decided on partner/firm rotation or met regulatory inspection requirements, as the core of professional logic remained while they adopted practices and symbols of a conflicting logic. Rather than segmenting, a selective incorporation of elements occurred. This is known as assimilation (Skelcher & Smith, 2015) and resonates with selective coupling (Pache & Santos, 2013) and co-optation (Andersson & Liff, 2018). This study adds assimilation as balancing mechanism to the Smets et al. (2015) model. In the case of rotation, influenced by their core (professional) logic auditors sought to be perceived as independent and used knowledge of the client to avoid audit failures (quality audits). Their emphasis of cost implications rather than independence in the debate between firm or partner rotation highlights the tension between commercial and professional logics. It is also evident in recent studies focusing on firm rotation (Velte & Loy, 2018) and audit-only firms (Demirkan, & Demirkan, 2017). In similar vein, auditors conducted audits aimed at quality in serving public interest, but in parallel, they conducted compliance-driven audits to meet regulatory inspection requirements. It, therefore, appears that regulatory inspections, instead of improving audit quality and strengthening professional logic, have precipitated accountability logic manifesting in a compliance mind-set into Big 4 firms' operational mix.

The primary focus is now on performing compliance-driven audits, complete with multiple checklists and accumulated documentation, anticipating regulatory inspections, and it may well compromise professional judgement and scepticism. Failure to follow up on questionable responses (Hurtt, Brown-Liburd, Earley, & Krishnamoorthy, 2013), is simply compliance behaviour trumping quality auditing. This is a significant challenge: only those auditors actively exercising professional scepticism are likely to confront clients or to perform additional procedures when irregularities become apparent (Knechel, Krishnan, Pevzner, Shefchik & Velury, 2013). Despite this, participants used standardized tools, together with accountability logic, as a professional strategy to "strengthen professional trust and provide a sense of certainty" that still threatens auditors' professional judgement (Ponnert & Svensson, 2016, p. 586).

The second mechanism in the Smets et al. (2015) model is *bridging*. Being integrative, bridging imports important understandings gained from enacting one logic into the other (Smets et al., 2015). It balances differentiating effects of segmentation, also through collaborative relationships (Reay & Hinings, 2009). For example, auditors used knowledgeable experts (who had been exposed to current practices through consultation) and embedded them in audit teams whilst expecting them to apply audit firm methodologies. This approach addressed auditee executive management's concerns regarding consistency and confidentiality. Creating a mutually facilitative relationship (Kraatz & Block, 2008), the competing logics "feed off" each other (Smets et al., 2015, p.35) as auditors not only supported their firms' consulting divisions but they used them as valuable in-house training ground for prospective auditors.

Bridging, or temporarily connecting logics, is also part of assimilation when including elements of competing logics (Skelcher & Smith, 2015). Alvehus (2015, p. 40) describes bridging as follows: "a logic is given another, relevant role, differing from its intended role". Regulators, in promoting auditor independence and audit quality (implying public interest and demonstrating professional logic), have introduced mandatory auditor rotation at partner level (Jackson, Moldrich & Roebuck, 2008; Chi, Huang, Liao & Xie, 2009) and are promoting firm rotation. Auditors implemented elements of competing logics; they supported partner rotation and managed the process by in- and out-phasing of engagement partners to retain client-specific knowledge and promote audit quality (Bandyopadhyay, Chen, & Yu, 2014; Jackson et al., 2008), whilst balancing audit efficiencies and costs (clients' and own long-term revenues). Whilst partner rotation facilitated that competing logics "feed off" each other (Smets et al., 2015, p.35), this is not necessarily the case

with firm rotation as income gets lost when a client is not retained. Except for audit committee chair and regulator participants, the general consensus was against firm rotation even though it increases independence by introducing fresh perspectives on audit engagements (lowering complacency) (Elder, Lowensohn & Reck, 2015). Although empirical evidence assessing the merits of audit partner rotation is mixed (Jackson et al., 2008; Carey & Simnett, 2006; Chi et al., 2009), the general consensus of auditor participants is that such rotation was acceptable to address familiarity issues.

Participants conceded that regulatory inspections (legally and regulatory-derived coercive pressures (DiMaggio & Powell, 1983; Ollier-Malaterre et al., 2013)) have impacted positively on audit quality (Malsch et al., 2018) (underscoring accountability logic), but equally recognized that compliance behaviour is escalating (much criticized by some non-auditor participants). Regulatory agencies require detailed documentation to verify accountability and Big 4 firms use standardized tools to demonstrate their compliance. Auditors were expected to selectively act with a compliance mindset and go beyond standard checklists to join compliance (tick-box) auditing and assurance auditing (based on evidence to express an opinion). Then accountability and professional logics could "feed off" each other (Smets et al., 2015, p.35), otherwise the use of decision-making aids and checklists, increasing audit efficacies and minimising risks of failing inspections, negates professional development and could compromise firms' ability to attract and retain competent staff, arguably impacting audit quality negatively (Holm & Zaman, 2012).

Smets et al. (2015) found that individuals use self- and peer-monitoring structures to scrutinize their bridging practices, thus *demarcating* logic blending or slippage. They argue that bridging carries the risk of privileging one logic over another, and tensions needed to be downplayed - thus demarcation restores balance according to relative power and interests (Greenwood & Suddaby, 2006; Reay & Hinings, 2009). In this study audit quality served as demarcation and firms' quality control processes, including peer reviews and independent regulatory inspections, represented institutionalized oversight processes (Holm & Zaman, 2012; Humphrey et al., 2009; Humphrey, Kausar, Loft & Woods, 2011; Khalifa, Sharma, Humphrey & Robson, 2007).

This study shows auditors had the practical understanding to work across competing logics. Smets et al. (2015) argue that work can itself become institutionalized in the mundane, everyday practice of individuals. This study supports the notion, that auditors' decisions to involve experts, rotate partners and align their audit work for regulatory inspections have become the norm in Big 4 firms, but such institutionalization was challenged by some non-auditor participants, who questioned auditors' commercial and accountability logics with compliance orientation and its impact on audit quality. They believed separating audit firms from consultancies could re-establish the "pure" professional firm identity (Noordegraaf, 2015) and saw Big 4 firms as having merely legitimize their consultancy-favouring business models by endorsing prevailing audit quality rhetoric, and thus protecting their images (Holm & Zaman, 2012). This finding points towards the temporal nature of institutionalization of logic multiplicity. It returns to the thinking of DiMaggio and Powell (1983) that a single coherent institutional template is needed in order to gain support from external institutional referents.

The way in which actors reconcile logics deepen the understanding of institutional instability and change (Alvehus, 2015). This study enhancing the understanding of logic multiplicity at the institutional "coalface" (Alvehus, 2015; Bévort & Suddaby, 2016; Smets et al., 2015). To answer the research question - How do Big 4 auditors navigate institutional complexity in their decision-making to maintain audit quality on complex audit engagements? – the study suggests individuals construct meaning of conflicting logics in ways that reflect, facilitate and promote their own aims and resources (Bertels & Lawrence, 2016) and they use balancing mechanisms to navigate and make sense of coexisting (professional,

commercial and accountability) logics. While individuals have their own interpretation of institutional pressures and use their own identity scripts to routinely enact them within everyday practice (Bévort & Suddaby, 2016), non-auditor participants in our study remained sceptical and questioned the influence of connected logics on audit quality. It points towards the temporal nature of the institutionalization of logic multiplicity and shows that institutional complexity is in continual flux (Greenwood et al., 2011).

Concluding thoughts

This paper has pondered the question: How do Big 4 auditors navigate institutional complexity in their decision-making to maintain audit quality on complex audit engagements? In particular it sought to understand auditors' decisions to (1) involve experts, (2) rotate firms or engagement partners and (3) meet regulatory inspection requirements through an institutional logic lens. Adding to the emerging debate surrounding logic multiplicity at the institutional 'coalface', this study expands on the Smets at al. (2015) model of balancing coexisting logics. It adds assimilating to the other balancing mechanisms (segmenting, bridging and demarcating) auditors use to navigate and make sense of coexisting logics. While competing logics are in conflict at many points, they are paradoxically complementary (Gendron, 2002) in auditors' every day practice and through this interplay audit quality is maintained when these logics are balanced. However, non-auditor participants, mostly overlooked by institutional research at micro-levels, challenge the institutionalisation of connected logics and questioned the influence on audit quality. It shows that "the pattern of institutional complexity experienced by organizations is never completely fixed" (Greenwood et al., 2011, p. 318).

Further work is needed to understand the relationship between audit quality (demonstrating professional logic) and accountability logic within audit firms. As Burns and Fogarty (2010, p. 314) ask: "If inspections are causing more prescriptive audit procedures and generating a compliance mindset, is that over the long term improving quality?" Future studies should, therefore, investigate the current regulatory regime to answer the question: does the emergence of a checklist (compliance mindset) approach to audit serve the best interests of audit quality?

The interactions of multiple logics on audit firms' competence and audit quality requires further research as competence is the essence of audit practice (Fogarty, Radcliffe & Campbell, 2006), and key to the profession's survival because "professions both create their work and are created by it" (Abbott, 1988, p. 316). The emergence of new experts and new domains of expertise require examination in the context of understanding contemporary professional life confronted by multiple logics (Carter, et al., 2015).

The study's limitations include that data was derived from the personal experiences and perceptions of individuals with direct interests in the audit of complex, multinational companies. Investor perspectives, therefore, represent an area ripe for future research. Furthermore, the study's multi-country analysis was limited to participants from the UK, Australia, and South Africa. And finally, the study was based on Big 4 firm practices and little variation was found across the countries. This is not unexpected because Big 4 firms are seen as a field of study in their own right (Carter, et al., 2015, p. 1204). Future research could include cross-country studies on small-scale audit firms.

More work needs to be done to understand the micro-level dynamics of institutional logics. We are encouraged by the applicability of the Smets et al. (2015) model in this study. However, with the addition of assimilation as a balancing mechanism, and the challenge of non-auditor participants in everyday practice being institutionalized, various avenues are opened up for future research to understand institutional pressures.

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