MALICIOUS COMPLIANCE

by Sidney Dekker

As a schoolboy in the 1980's, my parents took me and my brother and sister to East Berlin. I was amazed at the quiet streets, and unsettled at the spartan shops, the empty shelves, the dreary décor, the bomb damage from World War II still visible in the skeletal roofs of some apartment blocks. I remember a barber shop: dusty, bleak and austere. On the shelves surrounding the mirror were two or three pieces of soap: that was all the barber could offer, other than haircuts. It was not until much later that I learned that it could have been somewhat of a miracle that anything showed up on his shelves. An East German factory might have had two important employees who were not actually on the official organisational chart. One was a 'jack-of-all-trades.' This unofficial employee was very smart at fixing stuff, at rigging and improvising solutions to keep machines running, to put together replacement parts, to correct problems in production. The second really important but unofficial employee was one who used factory money to buy and hoard stuff that could be used later (like the bars of soap in that barber shop). When push would come to shove, and the factory absolutely needed some spare part, or fuel, or other resource, then it could go out and trade these things (indeed, those bars of soap) against what it needed. Economists have estimated that if it weren't for these informal arrangements, and for the human ingenuity, resourcefulness, relationships and social networks, then a planned economy would not have worked at all. Nothing much might have been produced.

The example may be stark, but it's actually something that happens all over the world— wherever people work. And it is something that is not limited to one system of governance. The issue is that the world in which we work is non-deterministic: it is complex, unpredictable. It creates all kinds of side-effects and novelties that we might not have anticipated. We can try to nail that world down, to reduce it and lock it in a box, but it won't ever be successful. The easiest way to make sense of this is of course the topic of this issue of Hindsight: we separate 'work-as-done' from 'work-as-imagined'.

Sure, we can imagine work in a particular way. We can believe that people will use the technologies we provide them in the way they were intended. Or that they will apply the procedure every time it is applicable. Or that the checklist will be used. These assumptions (hopes, dreams, imaginings), are of course at quite a distance from how that work actually gets done on the front line, at the sharp end. Actual work process in any air traffic control centre, or tower, or office, on construction site, or factory (whether once in East Germany or anywhere else) cannot be explained by the rules that govern it – however many of those rules we write. Work gets done because of people's effective informal understandings, their interpretations, their innovations and improvisations outside those rules.

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For some, if there is a gap between how work is imagined and how it is actually done, then this is merely a shortcoming in how we manage and supervise and sanction people. We simply need to try harder to press that complex world into that box, to make it fit. Early on in the twentieth century, Frederick Taylor's 'scientific management' attacked work in exactly this way. It decomposed tasks into the smallest bits. It emptied them of meaning or interpretation, until there was nothing left to imagine. All there was, was work to be done. The ambition of 'scientific management' was to perfectly complete the world of work. No gaps; no stuff left unmanaged, no stuff unseen, nothing misunderstood. Everything pre-specified, proceduralised, checklisted, nailed down and choreographed in advance. The way work was imagined by the managers and planners, was the way

it was done – or to be done, precisely – by the workers. Layers of supervisors would see to that: it was primarily their job to close the gap.

As Erik Hollnagel notes in this issue, the Francophone tradition has long acknowledged the difference between tâche and activité. Roughly translated, this is the difference between (prescribed) task, or what is to be done, and (actual) activity, or what is done. The gap is not only implicitly acknowledged in the two separate terms; this tradition of studying work acknowledges that the gap can be large, and that it takes mutuality of understanding to make it smaller (if that is indeed the goal). If ever there is doubt about the existence of at least these two worlds of work – the official, rule-driven one and the vernacular – then one place to look is so-called work-to-rule strikes. These exploit the gap, of course. Air traffic control is not alone, and not the first workplace in which this has ever been done. Taxi drivers of Paris, instead of striking, have long resorted to what is known as a greve de zele. Drivers would all, by agreement and on cue, suddenly begin to follow all the regulations in the code routier. As was meant to, this would bring traffic in Paris to a grinding halt. Paris traffic only works when not everybody follows the rules.

A Spanish train driver recently showed how strict application of standardised rules can literally bring a system to a stand-still. Driving a train between Santander and Madrid in 2016, he decided to get out during a stopover in Osorno in the province of Palencia. Leaving 109 befuddled passengers behind in the stranded train, he simply walked away. What was his reasoning? He had long exceeded his duty time limits, violating not only his employment contract and transport regulations, but also health and safety rules. So he stopped working, in strict compliance with all the rules. The response of RENFE, the train company, was that this was a truly exceptional case. Most train drivers wouldn't do this because they have 'a healthy common sense', they said in a statement. This implies that most train drivers routinely violate all those rules, with assent and appreciation from their employer – in the name of production and throughput. Sounds familiar? RENFE did find a replacement driver to get the 109 passengers to their destination and also refunded their tickets in full.

Yet perhaps it takes Scandinavians to turn this realisation around on itself. If workers can apply strict rule following as a form of protest, then this has driven the authority in one country there to call it 'malicious compliance'. This is fascinating, of course. Workers could argue that they are (for once) fully obedient, that all they exhibit is complete rule-following behavior. It is compliance to the letter, and it leads to worker behavior exactly as it should supposedly be. Yet it is deemed malicious. It is, after all, intended not to finally make the system work, but to bring it to its knees. The Scandinavians wouldn't be fooled, evidently.

It's not the work as imagined that tells us interesting things about the system; it's the work as actually done – however hard it may be to get a good sense of what exactly that is (as Erik Hollnagel rightly points out).

If it occasionally takes 'malicious compliance' to show how far the two are actually apart, then that is maybe for the better. It should make all of us realise how much humanity, how much innovation, how much dignity of daily improvisation and problem-solving goes into making even the most technologically sophisticated systems actually work. Only people can keep together the patchwork of imperfect technologies, production pressures, goal conflicts and resource constraints. Rules and procedures never can, and never will. Nor will tighter supervision or management of our work.

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Then there is one more, vitally important, point to this. Understanding how daily success is created – how work is actually done – can help reveal where the next potential adverse outcome might come from. And it can do that much better than investigating the highly infrequent failure. The reason for that seems to be this. An organisation that has already achieved a pretty good safety record evidently has got its known sources of risk under acceptable control. But the accidents that might still happen in these organisations are no longer preceded by the sorts of incidents that get formally flagged or reported. Instead, accidents are preceded by normal, daily, successful work. This will likely include the so-called 'workarounds' and daily frustrations, the improvisations and adaptations, the shortcuts, as well as the sometimes unworkable or unfindable tools, user-unfriendly technologies, computers that lock up, and the occasionally unreliable results or readings from various instruments and measurements. These things are typically not reported: they are just all part of getting daily work done despite an imperfect, non-deterministic world. It's all in the game. People have learned to live with it, work around it, and get things done.

Leaders need to learn about these things, because they tend to be the conditions that might ultimately show up in how their organisation could drift into failure. We can't obviously learn about these conditions if we threaten with sanctions when not all the rules are followed precisely. That will shut people up for as long as we are there: they'll temporarily halt the workarounds and little innovations and improvisations which normally get stuff done. To learn how work is actually done – as opposed to how we think it is done – our leaders need to take their time. They need to use their ears more than their mouths. They need to ask us what we need; not tell us what to do. Ultimately, to understand how work actually gets done, they need an open mind, and a big heart.

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