

The Role of Law in Perpetuating "Corporate Violence"

The Case of the Accor Hotel Group in the Context of the Ibis Batignolles Strike

Abstract: This work examines how laws aimed at regulating "corporate violence" (Chertkovskaya & Paulsson, 2020) are exploited by large corporations to perpetuate the very same violence. Although some laws attempt to regulate it by encouraging large corporations to operate more sustainably, the interpretation of the legal framework by these companies demonstrates an opportunistic use of the law (Sitkin & Bies, 1993). Using the housekeepers' strike at the Ibis Batignolles (2019-2021) against the Accor hotel group as a case study, we analyze the mechanisms of legal disengagement deployed by a multinational hospitality corporation in the context of outsourced cleaning services from an intersectional feminist perspective (Hill Collins, 2017). Our work sheds light on how large corporations exploit legal loopholes to perpetuate violence against workers at the end of supply chains.

Key words: Corporate violence, legalization of organizations, cleaning, hospitality industry, intersectional feminism

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INTRODUCTION

Violence, whether actual or potential physical harm (Costas et al., 2024), has increasingly become a topic of interest in organization studies (Böhm & Pascucci, 2020; Hearn & Parkin, 2001; Lobbedez, 2024), with an emerging literature conceptualizing it as an instrument for maintaining social order (Kenny, 2016; Way, 2021) and for pursuing growth and profit (Banerjee, 2008; Ergene et al., 2024). In particular, a growing set of studies have shown that for-profit companies, and particularly multinational corporations are key organizing agents of violence (Chertkovskaya & Paulsson, 2020), especially as they act in socially and environmentally unsustainable manners (Ergene et al., 2020). In these contexts, violence functions as ‘the “stick” to the “carrot” of peaceful coexistence in regulated systems’ (Van Lent et al., 2022, p. 4) and facilitates the achievement of organizational objectives (Way, 2021). This violence can affect both human and non-human actors, as evidenced by recent cases of mass contamination that have devastated the Earth's ecosystems (Davies, 2022; Nixon, 2011). Furthermore, research has also highlighted that violence varies according to the sociological characteristics of its victims, intensifying at the intersection of class, gender, race and class (Harris, 2013). For example, women in global value chains are disproportionately subjected to sexual violence under degraded working conditions (Barrientos, 2019), while racial dynamics continue to shape violence within modern labor divisions, such as forced labor targeting marginalized populations in the Global South (Stringer & Michailova, 2018).

In response to these observations, external regulations have been set in motion over the past years, in an attempt to regulate corporate actions (Giamporcaro et al., 2023). The aim of these regulations is to coerce companies into the respect of certain practices, or at least to set the boundaries between what is acceptable and what is not within a legal framework. However, various examples, such as modern slavery (Crane, 2013), confirm that these measures cannot eradicate all forms of unethical and violent behavior in and perpetrated by corporations. While

the coercive role of both hard and soft law has been demonstrated (Dimaggio & Powell, 2004; Meyer & Rowan, 1977; Mizruchi & Fein, 1999), it has not been effective in preventing various forms of unethical behavior by companies (Fleming, 2012; Fleming et al., 2013). In fact, violence is still often normalized and silenced in many instances through various mechanisms of othering or shaming (Kenny, 2016; Varman & Al-moudi, 2016; Palpacuer & Seignour, 2012). What is more, the formation of complex organizational networks plays a crucial role in rendering violence ‘insensible,’ i.e., actions with “limited traceability” leaving long-lasting physical but also emotional damage for those on the receiving end (Chowdhury, 2017, 2021, p. 133; Downey et al., 2010).

In this paper, we argue that further unpacking the relationships of companies with these laws designed to counter unethical actions could provide valuable insights in order to better understand how violence is organized. The relationship that companies have with the law is indeed highly ambiguous. The law usually plays a dual role in both influencing organizational behavior but also providing a form of legitimacy (Meyer & Rowan, 1977) that can mask violence. Studies in the sociology of law have revealed that large corporations often influence the creation of the very legal frameworks meant to regulate their activities (Edelman, 1992). Organizations do not simply endure legal frameworks; they actively engage with them, in particular legal reasoning, procedures, and structures, to reinforce their legitimacy, especially when under criticism. These studies have also demonstrated that, in a context of intense criticism of corporate business models, legal arguments are likely to take precedence over managerial arguments in strategic decisions (Ben Khaled et al., 2022; Sitkin & Bies, 1993). By relying primarily on legal arguments to make decisions and meet compliance criteria, organizations shield themselves from any moral scrutiny of their behavior. Put differently, legal compliance does not always prevent violence; on the contrary, it can help hide it behind a veil of conformity. For instance, Chwastiak's (2015) work on the instrumentalization of legal

frameworks to normalize the use of torture under the Bush administration highlights the discursive practices involved in such processes. But despite this salient example, research in organization and management studies which explore the use of the law by large corporations in relation to the violence they produce remain notably rare. We therefore ask **How are legal frameworks used to organize violence?**

To address this question, we examine an industrial dispute involving twenty subcontracted housekeepers at a hotel in the Batignolles district of western Paris, who were engaged in strike action against the multinational corporation Accor. This dispute spanned 22 months, from 2019 to 2021, and attracted significant media attention in France. The hotel is owned and operated by AccorInvest, and managed by the multinational corporation Accor, the sixth-largest hospitality group globally and the leading one in Europe. Within the hotel, only one service is outsourced: housekeeping, which is responsible for cleaning the rooms as well as maintaining public spaces and common areas. In addition to their demands regarding wages and working conditions, the strikers called for an end to subcontracting, identifying this organizational model as a key factor in intensifying the violence they endured at work. They characterized subcontracting as "slavery," a term deliberately chosen by strikers to reflect their social position as Black immigrant women economically dependent on their jobs — a reality they highlighted throughout the dispute to underscore the specific nature of their exploitation. The workers primarily appealed to Accor to end subcontracting and directly integrate them as employees of the hotel, ensuring they would be treated and protected equally with internal hotel staff. This approach aimed to eliminate the violence they associated with the outsourcing model. The dispute came to an end in May 2021 with what the union and much of the press hailed as the housekeepers' "victory." The housekeepers secured all of their demands except the most significant one — internalization — meaning they remained subcontracted. This industrial dispute remains the longest in the history of the hospitality industry in France.

This case of industrial action surrounding the outsourcing of housekeeping in the hospitality industry is particularly relevant to our research for three key reasons. Firstly, the harmful nature of these jobs is well documented (Hsieh et al., 2016). Secondly, research has shown that outsourcing in this sector has intensified these already challenging working conditions (Cañada, 2018; Valenzuela-Bustos et al., 2022). Thirdly, during the Ibis Batignolles dispute, Accor's ambiguity regarding the legal status of contractors and its use of the law to navigate corporate responsibilities created confusion about its obligations toward housekeepers, making the case significant for examining the intersection of corporate legal strategies and corporate violence.

With this article, we aim to contribute to the growing body of literature at the intersection of violence and organization studies by exploring how organizations engage with the law to maintain ambiguity around their responsibility, thereby contributing to the legalization of the violence they produce.

1. LITERATURE REVIEW

1.1. THE NEXUS OF VIOLENCE AND ORGANIZATION

Violence, whether manifested as actual physical harm or the potential for harm (Costas & Grey, 2019), has become an increasingly prominent topic in organization studies (Böhm & Pascucci, 2020; Hearn & Parkin, 2001; Lobbedez, 2024). Recent research explores violence as a tool for enforcing social order (Kenny, 2016; Way, 2021) and as a mechanism to drive organizational growth and profitability (Banerjee, 2008; Ergene et al., 2024). In these contexts, violence functions as ‘the “stick” to the “carrot” of peaceful coexistence in regulated systems’ (Van Lent et al., 2022, p. 4) and facilitates the achievement of organizational objectives (Way, 2021). Scholars have highlighted that this violence can take many forms, whether indirect and hidden, such as through threats of exclusion and systemic inequalities (Galtung, 1969; Žižek,

2009), or overt and immediate, as seen in killings during genocides (Galtung, 1969; Stokes & Gabriel, 2010; Žižek, 2009) and wartime (Bloomfield et al., 2017). They have also shown that it affects both human and non-human actors, as illustrated by recent cases of mass contamination which have devastated the Earth's ecosystems (Davies, 2022; Nixon, 2011).

Several mechanisms help sustain violence by normalizing and silencing it. For instance, a number of papers have documented discursive strategies, such as constructing a 'disgusting other' (Kenny, 2016), employing paternalistic rhetoric (Varman & Al-Amoudi, 2016), and shifting blame onto vulnerable individuals (Palpacuer & Seignour, 2012). Furthermore, the promotion of specific cultural norms has also been proven to contribute to the normalization of harm, as in the case of masculinist values underpinning sexual violence, for instance (Alcadipani & Tonelli, 2014; Collinson & Collinson, 1996; Nilsson, 2013). At a macro level, the formation of complex organizational networks also plays a crucial role in rendering violence 'insensible,' i.e., actions with "limited traceability" leaving long-lasting physical but also emotional damage for those on the receiving end of it (Chowdhury, 2017, 2021, p. 133; Downey et al., 2010).

Scholars have shown that violence differs according to the sociological characteristics of the individuals against whom it is perpetrated. Firstly, a number of studies emphasize the sexual nature of violence against women, with sexual harassment being a significant issue in the workplace (Grosser & Tyler, 2022). Secondly, academic research has highlighted the racial dimension of violence, particularly in extreme cases such as genocide and slavery. Organizational studies on genocide have also identified how mass murder can be systematically organized to eliminate populations deemed undesirable based on racial or religious identity (Clegg et al., 2012; Stokes & Gabriel, 2010). Similarly, research on slavery underscores how management sciences have been historically constructed around the organization of forced labor for populations considered racially inferior (Cooke, 2003), a practice that persists today

in the form of modern slavery, primarily targeting low-income populations in the Global South within global value chains (Crane, 2013; Stringer & Michailova, 2018). Finally, violence reconfigures and intensifies at the intersection of gender, race, and class (Harris, 2013). For instance, African American women are statistically more exposed to workplace sexual harassment due to limited job mobility (Cassino & Besen-Cassino, 2019), while women in global value chains are disproportionately subjected to sexual violence under degraded working conditions (Barrientos, 2019). One response to this violence has been to increase the regulation of corporate behavior and practices.

1.2. THE REGULATION OF CORPORATE VIOLENCE

A growing set of studies have considered for-profit companies, and particularly multinational corporations as key organizing agents of violence (Chertkovskaya & Paulsson, 2020), especially as they act in socially and environmentally unsustainable manners (Ergene et al., 2020). These companies thereby foster forms of ‘corporate violence,’ meaning that ‘actual or potential physical harm’ (Costas & Grey, 2019) is ‘associated with the pursuit of profit and growth’ and has led to the destruction of humans and ecosystems (Chertkovskaya & Paulsson, 2020).

In response to this observation, external regulations have been set in motion over the past years, in an attempt to regulate corporate actions (Giamporcaro et al., 2023). For instance, several regulations have aimed to prevent and address the impact of violence against the environment, by pushing corporations toward greater sustainability, as evidenced by recent European directives on due diligence, non-financial reporting and environmental crimes.¹ The aim of these regulations is to coerce companies into the respect of certain practices, or at least to set the boundaries between what is acceptable and what is not within a legal framework.

¹ For a recent example, see the Environmental Crime Directive from the European Union, adopted in April 2024, which creates new offense categories to combat environmental crimes.

However, various examples, such as modern slavery (Crane, 2013), confirm that these measures cannot eradicate all forms of unethical and violent behavior in and perpetrated by corporations. While the coercive role of both hard and soft law has been demonstrated (Dimaggio & Powell, 2004; Meyer & Rowan, 1977; Mizruchi & Fein, 1999), it has not been effective in preventing various forms of unethical behavior by companies, as evidenced by the increasing number of corporate scandals (Fleming, 2012; Fleming et al., 2013).

More broadly, the relationship that companies have with the law is highly ambiguous. The law indeed plays a dual role in both influencing organizational behavior but also providing a form of legitimacy (Meyer & Rowan, 1977) that can mask violence. Put differently, legal compliance does not necessarily mean that a company is ethical, environmentally friendly, socially responsible, or fair, and nor does it necessarily lead to meaningful change in behavior. Studies have shown a gap between ethical behavior and legal compliance, such as in the adoption of codes of conduct, which generate mixed results with regard to influencing employee ethics (Kaptein, 2015; Kaptein & Schwartz, 2008). Despite this, companies continue to adopt ethical tools without significant impact (Ben Khaled & Gond, 2020; Sum & Ngai, 2005) and rarely proactively engage with environmental issues beyond legal requirements (Montgomery et al., 2024). Ultimately, the law often appears as a constraint to be navigated in order to maintain a certain level of legitimacy.

Studies in the sociology of law have revealed that large corporations often influence the creation of the very legal frameworks meant to regulate their activities (Edelman, 1992). This endogeneity of the law demonstrates that the way the law is interpreted, adopted, and enforced within corporations is as significant as the law itself. Companies' interpretations of the law often influence judicial rulings, with judges sometimes basing their decisions on how businesses have understood and applied legal standards (Edelman, 1992). This interpretative process is far from neutral, as the considerable ambiguity in the law creates space for social reconstruction by the

actors implementing it (Edelman, 1990, 1992; Edelman et al., 2001; Edelman & Talesh, 2011; McCrudden, 2008; Parker & Nielsen, 2011; Talesh, 2009). In other words, judges play a crucial role in this interpretive process (McCrudden, 2008), as does the way in which companies translate legal requirements into their everyday practices to ensure compliance.

As a result, studies have highlighted the growing influence of law and legal institutions within the organizational sphere. Certain corporate practices are thus labeled as compliance practices — decoupled from organizational rationality (Meyer & Rowan, 1977). However, much of this research considers responses to legal and institutional frameworks in a homogeneous and macro way (Weber & Waeger, 2017), thereby neglecting the processes through which organizations interpret the law and its inherent ambiguity (Edelman, 1990, 1992). In contrast, the sociology of "business compliance" (Parker & Nielsen, 2011), building on earlier work (Edelman, 1990, 1992; Edelman et al., 2001), acknowledges the significant ambiguity of the law and analyses its consequences at both organizational and individual levels.

These studies have also demonstrated that, in a context of intense criticism of corporate business models, legal arguments are likely to take precedence over managerial arguments in strategic decisions (Ben Khaled et al., 2022; Sitkin & Bies, 1993). Organizations do not simply endure legal frameworks; they actively engage with them, in particular legal reasoning, procedures, and structures, to reinforce their legitimacy, especially when under criticism. Corporations also mobilize regulation to create market opportunities which demonstrates a strong and ambiguous relationship with the regulation (Brès & Gond, 2014; Gond et al., 2024). For Sitkin and Bies (1993), this legalization of organizations is defined as a process of organizational design adjustment in which the law is used to justify, reject, or legitimize changes. This organizational response to legal constraints serves to enhance both coordination and institutional legitimacy. By relying primarily on legal arguments to make decisions and meet compliance criteria, organizations shield themselves from any moral scrutiny of their

behavior. However, legal compliance does not prevent organizational violence; on the contrary, it hides it behind a veil of conformity. For instance, Chwastiak's (2015) work on the instrumentalization of legal frameworks to normalize the use of torture under the Bush administration highlights the discursive practices involved in such processes. Nonetheless, there is a notable lack of research in management studies that explores the intersection between the use of law by large corporations and the violence their organizations produce, particularly as it impacts specific populations. More broadly, scholars in management and organization studies have called for further research on organizational violence (Costas & Grey, 2019) to better understand how it is embedded within internal organizational structures (Hearn & Parkin, 2001) and, more broadly, socially "organized" (Böhm & Pascucci, 2020). In this paper, we address this gap by asking: **How are legal frameworks used to organize violence?**

2. CASE CONTEXT

To address this question, we examine an industrial dispute involving twenty subcontracted housekeepers at a hotel in the Batignolles district of western Paris, who were engaged in strike action against the multinational corporation Accor. This dispute spanned 22 months, from 2019 to 2021, partly overlapping with the COVID-19 crisis, and attracted significant media attention in France.

The Ibis Batignolles Hotel is an economy hotel with 706 rooms, located in the 17th arrondissement of Paris. It is the second largest hotel in France. The hotel is owned and operated by AccorInvest, and managed by the multinational corporation Accor, the sixth-largest hospitality group globally and the leading one in Europe. Within the hotel, only one service is outsourced: housekeeping, which is responsible for cleaning the rooms as well as maintaining public spaces and common areas.

Over the course of a decade, four different cleaning service providers have succeeded one another at the Ibis Batignolles site, while most of the employees have remained, being successively retained by various employers. In 2016, the cleaning contract for the site was awarded to the service provider STN. STN is one of the major players in the cleaning industry, ranking as the 12th largest cleaning company in France in 2019 and operates across various sectors. It has a particularly strong presence in the hospitality industry, where it has been involved in several highly publicized industrial disputes led by housekeepers. The company's business model involves allocating its pool of cleaners across multiple sites based on the cleaning needs of its client companies. This strategy is facilitated by the geographic mobility clause included in its employees' contracts. On a daily basis at the Ibis Batignolles Hotel site, STN employs 58 people consisting of 11 head housekeepers, 40 housekeepers, and 6 crew members

In addition to their demands regarding wages and working conditions, the workers called for an end to subcontracting, identifying this organizational model as a key factor in intensifying the violence they endured at work. They characterized subcontracting as "slavery," a term deliberately chosen to reflect their social position as Black immigrant women economically dependent on their jobs — a reality they highlighted throughout the dispute to underscore the specific nature of their exploitation. The workers primarily appealed to Accor to end subcontracting and directly integrate them as employees of the hotel, ensuring they would be treated and protected equally with internal hotel staff. This approach aimed to eliminate the violence they associated with the outsourcing model. The dispute came to an end in May 2021 with what the union and much of the press hailed as the housekeepers' "victory." The housekeepers secured all of their demands except the most significant one — internalization — meaning they remained subcontracted. This industrial dispute remains the longest in the history of the hospitality industry in France.

This case of industrial action surrounding the outsourcing of housekeeping in the hospitality industry is particularly relevant to our research for three key reasons. (1) Firstly, the harmful nature of these jobs is well documented (Hsieh et al., 2016). (2) Secondly, research has shown that outsourcing in this sector has intensified these already challenging working conditions (Cañada, 2018; Valenzuela-Bustos et al., 2022). (3) Thirdly, during the Ibis Batignolles dispute, Accor's ambiguity regarding the legal status of contractors and its use of the law to navigate corporate responsibilities created confusion about its obligations toward housekeepers, making the case significant for examining the intersection of corporate legal strategies and corporate violence.

(1) Scholars have identified three primary forms of violence that are central to the daily experiences of housekeepers in the hospitality industry: physical, sexual, and material violence. Physically, housekeeping is the most dangerous job in the sector, with the highest rate of injuries and significant health impacts, including frequent back, joint, and wrist issues, as well as exposure to toxic cleaning products (Buchanan et al., 2010; Hsieh et al., 2016; Sönmez et al., 2020; Cañada, 2018; Rosenman et al., 2003). This physical burden is often underestimated because housekeeping is perceived as a "natural" activity for women (Seifert & Messing, 2006). Sexual violence is another critical issue, with housekeepers frequently facing harassment and assaults, facilitated by the isolated and private nature of their work in guests' rooms (Guerrier & Adib, 2000; Kensbock et al., 2015). Lastly, material violence manifests through poor employment conditions, including low wages, part-time contracts, insufficient time allocation for tasks, and unpaid overtime, all of which contribute to economic vulnerability (Guégnard & Mériot, 2010; Puech, 2004).

(2) The generalization of outsourcing cleaning services in recent decades has exacerbated the already challenging working conditions for housekeepers, leading to labor intensification

and a lack of income security (Bernstein et al., 2016; Mayer-Ahuja, 2004; Rees & Fielder, 1992). Outsourcing has become a key tool for financial and organizational flexibility in a sector impacted by increased demand variability due to globalization (Seifert & Messing, 2006; Soltani & Wilkinson, 2010). By subcontracting housekeeping, hoteliers aim to reduce labor costs and make room cleaning expenses more flexible, effectively removing direct responsibility for housekeepers' working conditions. Despite evidence of the additional harm caused by outsourcing (Cañada, 2018; Evans et al., 2007; Valenzuela-Bustos et al., 2022), the hotel industry continues to embrace this strategy with limited accountability. However, increased media coverage of housekeepers' grievances and industrial action, such as the Las Kellys movement in Spain and the two-year strike at the Ibis Batignolles hotel in France, have brought significant attention to these issues, forcing the industry to confront the negative impacts of its strategic decisions (Valenzuela-Bustos et al., 2022).

(3)The ambiguity surrounding the legal status of contractors of Accor group and, consequently, the extent of the multinational's responsibilities toward housekeepers and the violence exerted through the organization of cleaning work. Despite the legal framework on the duty of vigilance, which holds contracting companies accountable for the working conditions of their subcontractors' employees, and despite Accor Group's public commitment to significant corporate social responsibility policies regarding hotel workers, through statements from its CEO, the company repeatedly claimed that it bore no responsibility for the housekeepers during the conflict. The hospitality group's use of legal frameworks related to corporate social responsibility varied at different points in its communication.

3. METHODOLOGY

This paper aims to analyze the contrasts and variations in Accor's use of legal frameworks during the strike to elucidate how the multinational engages with the law in relation to the violence resulting from subcontracting. To this end, a case study centered on the Ibis Batignolles strike has been developed as part of the first author's doctoral dissertation. This case study includes interviews, media and social media coverage, as well as documentation produced by the trade unions and the company. A first phase of data collection occurred between June 2021 and December 2021, which was then complemented by additional material in early 2023, particularly related to media and social media statements of the main protagonists during the conflict.

The data collection process primarily set out to retrace the chronology of the conflict and make sense of the positions of the actors involved at each stage. It focuses on the three different types of actors involved in the dispute: 1) the housekeepers and those involved in their defense; 2) the actors involved in the decision to outsource as well as the management of the subcontracted housekeepers; 3) the labor inspection, which played a significant role as a mediator in the dispute.

The first author led a total of ten interviews with representatives of the different actors. All the interviews took place in person, either at actors' homes, offices, or in coffee shops, were recorded with their consent, and lasted on average 90 minutes. Four interviews were first conducted with the spokespersons of the housekeepers, the aim was to understand the organization and experience of subcontracted work and to capture the different phases of the conflict negotiations. Three additional interviews were conducted with the two union organizers from the CGT HPE, who accompanied the organization of the strike. These interviews focused on the chronology of the Ibis Batignolles conflict, the positioning of the different actors during the strike, the relationship of the union with the corporation they intended to take strike action

against, and the broader context of the rise of subcontracted cleaning in the hospitality industry over the past 20 years. Last, three interviews were carried out with labor inspectors involved at different stages of the strike to understand the legal issues related to the dispute, the positioning of actors with respect to the legal and illegal aspects of subcontracting, and the mediation process implemented towards the end of the industrial action.

These interviews were then complemented with a substantial corpus of secondary data. This dataset consists of key documents produced during the strike by the housekeepers’ union, including flyers, the list of demands, the end-of-conflict protocol, and the claim filed with the labor court against Accor. It also includes various documents related to corporate social responsibility produced by Accor and the operator of the Ibis Batignolles hotel, AccorInvest, during the strike period. Lastly, the corpus gathered media coverage of the dispute. 154 tweets and Facebook posts from the CGT HPE accounts documenting the strike's progression were collected along with radio and TV appearances by the strikers (17 entries) and Accor’s CEO, Sébastien Bazin (14 entries), throughout the dispute. A press review of over 145 articles was conducted using the Europresse database with the keywords "Ibis" and "Batignolles" covering the period from July 2019 to June 2021.

Table 1 summarizes all the data collected during this first phase.

Type of data	Data source	Number of entries
Interviews	Strike leaders (two housekeepers)	4 interviews
	CGT HPE Union (two union organizers)	3 interviews
	Labor inspection (three inspectors)	3 interviews

Media and Social Media Interventions	Print and Online Articles (Europresse extraction)	145 printed articles
	CGT HPE Account Tweets and Facebook Posts	154 posts
	Strike Leaders's TV and Radio Appearances	17 appearances
	Accor CEO's TV and Radio Appearances	14 appearances
Documents	CGT HPE Documents	7 documents
	Accor Documents	18 documents

Table 1. Summary of data sources

4. DATA ANALYSIS

The first stage of the analysis involved constructing a chronology of the conflict. The first author carried out temporal bracketing (Langley et al., 2013) distinguishing four distinct phases marked by pivotal events that were followed by shifts in strategy by the actors. The second stage focused on a more precise analysis of the legal dimensions of the case, examining in greater depth the union's documents related to the two claims filed with the labor court against Accor, the Accor CSR reports and documents that detail their commitments and policies to the issues raised by the strikers (i.e., sexual violence, harassment, job strain and illegal labour supply) and documents outlining the scope of Accor's responsibility in relation to their business model. The final stage involved revisiting the chronology to understand how the hospitality group used legal frameworks to navigate the industrial dispute as part of its strategy to disengage from responsibility for the violence produced by outsourcing. This stage focused on highlighting the gaps between the group's publicly displayed CSR policies and the legal responsibilities they bear in relation to their strategic business model choices.

5. FINDINGS

In the first section of the findings, we highlight why Accor Group was targeted as responsible for the housekeepers' experience of violence, despite having no legal responsibility. In the second section, we explore the gap between the strikers' and union's understanding of Accor's status and its actual legal scope of responsibilities. We examine how Accor maintains ambiguity around its legal status and power, creating an illusion of responsibility through compliance practices and discourses. This opacity benefits Accor during the industrial dispute and enables the continued perpetuation of organizational violence.

5.1. FIGHTING THE WRONG ACTOR?

In this first part of our findings, we demonstrate how, on the one hand, the specific experience of violence faced by housekeepers in the Ibis Batignolles case led them to strike not against their direct employer, but against the Accor Group, (1) while, on the other hand, this group had no legal responsibility toward the housekeepers. (2)

5.1.1. Addressing violence: targeting the hospitality group as the contractor

In July 2019, approximately 30 subcontracted housekeepers of the Ibis Batignolles hotel initiated a strike, rallying under the slogan "Sous-traitance, mal-traitance!" ("Outsourcing is abuse!"). This slogan resonated deeply with their experiences, as one housekeeper described the job as "breaking their bodies," (Press article) while another emphasized that they consider themselves "the foundation of the hotel," (Press article) noting that without clean rooms, the hotel cannot sell its services.

Throughout the conflict, the housekeepers publicly highlighted the violent organization of cleaning work to which they were subjected. They detailed the moral violence inflicted by the hotel management, which is legally prohibited from giving them orders since the

housekeepers are external employees, yet they accused the internal head housekeeper of harassment. They also voiced concerns about the physical violence resulting from an intensified work pace (3.5 rooms scheduled to be cleaned per hour, equating to 17 minutes per room, regardless of the level of cleanliness required) and the uncertainty surrounding their work hours—"We know when we have to arrive, but we never know when we will leave" (Interview). Additionally, they described the economic violence of financial insecurity tied to their extremely low wages (between €600 and €1,000 per month), which were kept at the lowest possible level through a room-based payment system imposed by their employer. Finally, they recounted the sexual violence inflicted by both hotel guests and management, most notably the rape of one of their colleagues by the former hotel director. "We do not come here to be slaves and raped," declared one of the strike leaders during the first week (Press article).

"Accor Group engages in slavery in its hotels through subcontracting" (Social media) explains one of the strike leaders. The housekeepers held the Accor Group accountable for the violent organization of cleaning work. Supported by their union, the CGT HPE (Hôtel de Prestige et Économique), the strikers did not direct their demands against their immediate employer, as is traditional in industrial action, but instead targeted the larger hospitality group. This strategic decision was informed by the union's two decades of experience in industrial disputes regarding subcontracting practices. Indeed, previous conflicts have revealed that the organization of cleaning work is primarily shaped by the financial agreements negotiated by the contracting hotelier, who wields significant power over the cleaning company.

Then, during the first weeks of the strike, the housekeepers and their union issued an initial leaflet titled "Accor Group: From Stealing Employees to Raping a Housekeeper," highlighting the hospitality group's responsibility in the propagation of violence due to the subcontracted model implemented. "The Ibis hotels belong to the Accor Group," the leaflet explains, indicating that this status as the owner of the hotel assigns the multinational a

responsibility as the contracting entity with the subcontractor. Accor Group is the "contracting party," (Interview) assert the union organizers, as the contracting entity operating the hotel, it is presumed to have the ability to end outsourcing by directly employing the housekeepers.

In line with this understanding of the scope of Accor Group's responsibility, the strikers and the union targeted the group in various ways throughout the industrial dispute — online, on social media, and physically — by organizing multiple occupations of entrances to hotels affiliated to Accor and staging protests outside Accor Group's headquarters. Throughout the strike, the press echoed the demands and narrative of the strikers and the union, highlighting the hotel group's responsibility and its capacity for "integration within Accor" (Press article), which was ultimately abandoned at the end of the dispute.

At the end of 2020, the strikers and their union filed a complaint with the labor court, alleging that Accor, in complicity with the cleaning company, had implemented a "discriminatory system" through subcontracting (Union's document).

“The establishment of this subcontracting is discriminatory because its economic viability depends on STN [the subcontractor] providing a workforce of racialized, vulnerable women who generally receive little support. [...] Indeed, the system is made possible by the already precarious status of the targeted populations; furthermore, this subcontracting conceals the discrimination that follows its implementation: the real economic harm to subcontracted employees, who are trapped in a vicious cycle that perpetuates their social and economic vulnerability.” (Union's document)

In this filing, the strikers brought a claim against the Accor Group as a legal entity, owner of the Ibis Les Batignolles hotel, legally named "Société Paris-Clichy." The objective was to prove the discriminatory nature inherent in the subcontracting of cleaning services in the

hospitality industry, to render it illegal, hold Accor accountable, and compel the group to integrate the housekeepers into its workforce.²

5.1.2. While Accor Group holds no legal responsibility

However, an examination of Accor Group's financial documents, particularly the reports intended for shareholders, reveals that the group's legal responsibility differs significantly from the portrayal presented by the unions and the media. Legally, the owner and operator of the Ibis Les Batignolles hotel is not Accor Group, but AccorInvest. This distinction has significant implications for Accor Group's responsibility and its agency concerning the situation of the housekeepers.

AccorInvest is a real estate company established in line with the "Asset-Light" strategy implemented by Accor Group four years before the Ibis Batignolles strike. This strategy marked a strategic shift in Accor's business model, where the hospitality group split its activities: it retained brand development and hotel management while divesting itself of hotel properties, owning only 3% of Accor-branded hotels by 2020. As part of this transformation, Accor Group transferred ownership of 766 hotels to AccorInvest, making it the owner and operator of a significant portion of Accor Brand's affiliated hotels. Accor subsequently reduced its stake in AccorInvest, becoming a minority shareholder with a 30% share by 2020. While Accor retains significant influence, it no longer has exclusive control over AccorInvest. Consequently, at the time of the conflict, AccorInvest could not legally be considered a subsidiary of Accor Group, meaning it was no longer owned by Accor.

² Their argument consists of three parts: Firstly, cleaning constitutes the core activity of the hospitality industry for housekeepers, as the service sold cannot exist without clean rooms. However, since cleaning is considered a strenuous and devalued activity, in line with domestic tasks assumed to be naturally feminine skills, it is assigned in the job market to economically vulnerable women, often foreign, without qualifications, and therefore highly dependent on their jobs. The hotel sector, in this case, Accor, exploits this structural situation of "systemic discrimination" for profit by outsourcing, and thus delegating, the management of these women. This claim with the labor court was ultimately withdrawn as part of the conflict resolution protocol.

As indicated by AccorInvest documents, all the hotels in its portfolio — including Ibis Batignolles — are under management contracts with Accor Group. Accor Group offers two types of contracts to hotel owners: franchise contracts and management contracts. Under a management contract, Accor Group designs the hotel's organization, but the hotel staff remain employees of AccorInvest. As a result, the "design" of the service offerings related to the Ibis brand — such as the hotel's physical environment (decor, furniture, etc.), associated services (catering, meeting rooms, etc.), and the management tools and procedures governing the hotel's operations — are all dictated by the brand standards established by Accor Group.

In addition to selling franchise and management contracts, Accor Group's business model includes providing a range of services to the hotels in its network. Among these services, hotel owners benefit from Accor's procurement support, with the procurement department, Accor GPO (Group Procurement Organization), acting as an intermediary that pre-selects and pre-negotiates service agreements, including with cleaning companies, and charges a fee for this service. Operating under a platform-based business model, Accor GPO facilitates connections between suppliers and hotel owners.

In a nutshell, AccorInvest owns the properties and employs the hotel staff, while Accor Group focuses on brand development and providing services to hoteliers, such as a procurement center for purchasing cleaning services. Therefore, Accor Group holds no legal responsibility for the housekeepers, as its role is limited to brand management and the design of procedures, without extending to ownership or employment at the Ibis Les Batignolles hotel. However, Accor Group retains both influence and a direct economic interest in maintaining subcontracting arrangements at the Ibis Batignolles hotel, earning a fee with each renewal of a subcontractor. This allows the group to derive financial benefit from the outsourcing of cleaning services while assuming no legal responsibility for the housekeepers' working conditions, positioning itself solely as an intermediary in the contracting process.

The relationships among the different actors involved in the Ibis Les Batignolles Hotel are summarized in the following in Figure 1.

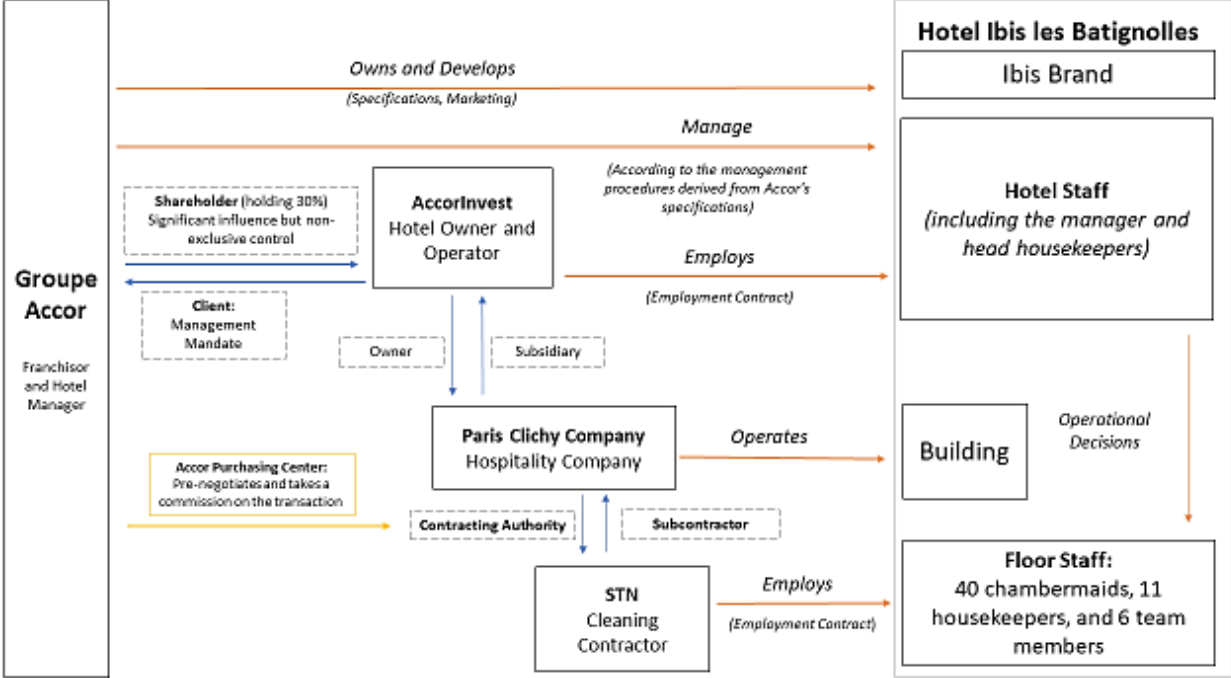


Figure 1 : Relationships Among the Different Actors Within the Ibis Les Batignolles Hotel

5.2. MAINTAINING AMBIGUITY REGARDING THE LEGAL STATUS OF THE PRINCIPAL CONTRACTOR

In this second part of the findings, we explore the gap between the strikers' and union's understanding of Accor Group's status and the reality of its legal status and scope of responsibility. We explain how the Accor Group maintains ambiguity around its legal status and power over the housekeepers' situation during the industrial dispute. By perpetuating an illusion of responsibility through compliance practices and discourses, the hotel group creates opacity for employees at the lower end of the production chain, such as housekeepers. This lack of clarity leads to confusion, which ultimately benefits Accor during the strike and enables the continued perpetuation of organizational violence.

In our analysis, we identify three ways that both enable and reinforce ambiguity regarding the legal status and the responsibility of the entity in charge of the housekeepers. Firstly, the Accor group used a defensive legal rhetoric (Sitkin & Bies, 1993) regarding their responsibility towards the housekeepers during the dispute while publicly demonstrating care as the social pressure was growing. They engaged in a ping-pong game with the subcontractor STN regarding legal responsibility, which maintained ambiguity on the matter. Secondly, their CSR programs clearly cover what they refer to as “all their employees participating in their operation” which includes housekeepers. The Accor Group has developed a CSR program to address issues such as racism and sexual violence faced by housekeepers, but these initiatives do not fully align with the actual concerns raised by the housekeepers during the dispute. More importantly, this CSR program further exacerbated the ambiguity regarding legal responsibility towards these workers. Thirdly, the Accor Group engages in practices and takes on responsibilities that go beyond legal requirements, but in areas that are not directly relevant to the core issues of a hotel group such as Accor. As a result, they interpret regulations in ways that maintain and even deepen the ambiguity around their legal accountability.

5.2.1. They are MY employees: Accor’s discursive strategies

During the first year of the dispute, from July 2019 to October 2020, the strikers and their union reported facing silence from the group, which refused all negotiations, stating, "These are not our employees." The group claimed no responsibility for the situation, asserting that the housekeepers were employees of the cleaning company. The hospitality group only addressed one issue: the involvement of the former hotel director in the mentioned rape case. In response to a journalist from Le Monde, the group assured that it was "very responsive in such cases" and was "working on a panic button [a device that enables the emergency services to be alerted in the case of a serious incident] for housekeepers' safety" (Le Monde, July 24, 2019).

After the onset of the COVID crisis in March 2020, Sébastien Bazin, CEO of Accor, was widely featured in the media. He was interviewed four times on radio and television between March and October 2020, primarily discussing the impact of the health crisis on the hospitality sector as the CEO of Europe's largest hotel group. During these interviews, Bazin maintained ambiguity regarding the legal scope of Accor's responsibility by using possessive language when referring to the employees working in the 5,000 hotels within the Accor network. For instance, in an interview with the TV channel TMC in October 2020, Bazin stated, "We have 300,000 employees in the Accor Group, including 80,000 in France" (TV appearance).

The interviews focused, among other things, on the group's acts of solidarity toward hospitality employees affected by COVID. In 2020, Accor shareholders waived 25% of the dividends for 2019 to create the All Heartist Fund, aimed at supporting employees of Accor hotels affected by the crisis. On April 16, 2020, during an interview on France Inter radio, Bazin emphasized his personal involvement, stating that he took care of "his" employees working in "his" hotels: "I need to be able to find out if they have problems in their families, if they are in financial distress." During this first period, the media did not ask Bazin any questions about the ongoing conflict at Ibis Batignolles. The group remained silent in response to the repeated actions of the strikers while simultaneously strengthening its brand image through various philanthropic actions.

After nearly a year and a half of conflict and increasing media coverage of the housekeepers' voices, the hotel group was eventually forced to break its silence, being questioned twice about the dispute. In these interviews, Accor continued to position itself as the contracting party, decision-maker, and a committed entity. In an interview with *HEC Stories*, the magazine of the business school from which Bazin graduated, he reinforced the ambiguity regarding Accor's legal status in the Ibis Batignolles situation, stating:

"About two-thirds of the housekeepers in the Accor network are *direct employees* of the group. One-third work for subcontractors. This practice is common across all major hotel groups. Subcontracting allows us to reduce fixed costs when occupancy rates are volatile. Our service providers must adhere to a strict set of standards, particularly regarding ethics and social rights" (*HEC Stories*, October 1, 2020).

In the same month, during an interview on France Inter, Bazin was confronted by a union organizer from CGT HPE who pretended to be one of the housekeepers on strike. Despite AccorInvest still refusing all negotiations at the time, with 20 housekeepers still on strike, Bazin responded as if he were personally engaged in the negotiations, asserting:

"We have tried to find many solutions, and I believe that 98% of them have been resolved with many of your colleagues, as there are now only about a dozen housekeepers out of 60 who are still on strike. The rest are no longer striking. We will continue to try to find solutions, and I will try to reach an agreement with the cleaning company STN. But STN is struggling, like all cleaning companies that depend on the hospitality industry; they are also suffering terribly" (*Matinale de France Inter*, October 20, 2020).

By intentionally fostering an illusion of responsibility on behalf of all actors within its network, the hotel group helps sustain and legitimize its brand management-focused business model while maintaining legal protection. This strategy also creates a layer of opacity for employees at the end of the production chain, such as housekeepers, resulting in a lack of clarity that ultimately benefits Accor during the dispute.

5.2.2. “Caring” for “all individuals working within its value chain”: extending responsibility

The Accor Group reports a total of 266,000 employees in hotels operating under its brand. Of these 266,000 employees, only 5% are directly employed by Accor, primarily at headquarters (2%) and a few remaining subsidiary hotels that have not been sold during the Asset Light strategy implementation (3%). The remaining 95% are employed by the operators of managed and franchised hotels, for whom Accor is not legally responsible. However, in its 2020 CSR report, Accor Group presents itself as a responsible employer committed to "decent work, inclusion, diversity, well-being, and the development of individuals" who extends this "responsibility" to all employees working under the Accor brand:

"Accor has the responsibility to care for the people who contribute to its operations and to support their development: its employees, of course, but also **all individuals working within its value chain.**" (CSR Report, Accor Group, 2020)

Thus, employees of franchised and managed hotels, as well as employees of service providers including subcontracted housekeepers, are theoretically (but not legally), covered by this displayed "responsibility" promoted in the hotel group's documents.

Accor demonstrates a strong social commitment, particularly through its "Planet 21" CSR strategy. This commitment addresses the social and environmental challenges inherent in the hospitality industry. Many of the policies and management tools contained therein constitute responses to the violence generated by subcontracting for housekeepers.

In this second section of the findings, we demonstrate that Accor Group exhibits a form of over-responsibility by explicitly committing to addressing the types of violence experienced

by the Ibis Batignolles housekeepers through the creation of soft law³ mechanisms diffused to its ecosystems of hotels and hotel's providers. The "commitments" mentioned in the following paragraphs are listed in Accor's 2020 Ethics and Corporate Social Responsibility Charter, while the identified initiatives are derived from Accor Group's 2020 Universal Registration Document.

"Quality of Life at Work" as a response to physical violence

Regarding the physical strain, widely highlighted by the housekeepers, Accor Group demonstrates a strong commitment to "quality of life at work," which is considered a "major concern for the group." Accor is committed to preventing work-related accidents and illnesses caused by repetitive motions through training programs aimed at mitigating the impact of hospitality activities on health, preventing workplace accidents, and addressing occupational diseases.

Accor commits to identifying and "assessing risks," providing appropriate training, anticipating and considering the human impact during organizational changes, and evaluating short-term risks (e.g., handling chemicals), medium-term risks (e.g., psychosocial risks), and long-term risks (e.g., musculoskeletal disorders). With regard to the latter point, Accor offers ergonomics training through Accor Academy, where 54,000 employees in hotels under the group's brand have been trained. The group also develops automated systems, such as hydraulic bed lifters, to prevent housekeepers from bending over excessively.

³ "Soft law" refers to non-binding and non-legally enforceable standards, often in the form of recommendations, principles, or codes of conduct. In contrast, "hard law" refers to legally binding standards, such as laws, international treaties, or government regulations, which impose legal obligations on the parties involved.

A "Zero Tolerance" policy for Gender-Based and Sexual Violence as a response to sexual violence

In response to the lack of protection highlighted by the housekeepers at Ibis Batignolles regarding sexual harassment and assaults by customers, as well as the rape committed by the hotel director against one of their colleagues, the hospitality group acknowledges the significant issue of gender-based and sexual violence in the hospitality sector. Accor cites the following statistics in its universal registration document showing its recognition of this issue: in the hospitality sector, 89% of workers report having been victims of one or more incidents of sexual harassment during their careers, and 85% report witnessing sexual harassment against others.

Since 2018, Accor has been involved in the #StOpE campaign to address sexism, an initiative led by several companies, including L'Oréal. The multinational has since been selected by UN Women to join the Generation Equality program, where it leads the Gender-Based Violence Action Coalition. In 2021, Accor committed to "zero tolerance" of gender-based and sexual violence (GBSV) through the drafting of a new international agreement based on ILO (International Labour Organization) standards, covering three areas: gender-based violence, sexual violence in the workplace, and domestic violence. This agreement is accompanied by the rollout of e-learning programs, with the stated ambition to "protect vulnerable groups among employees and workers under the Accor banner."

A "Directive Against Undeclared Work" as a response toward economic violence

The housekeepers at Ibis Batignolles face significant economic precarity exacerbated by the illegal practice of "payment per room," hardly denounced by strikers, which legally constitutes undeclared work, meaning not paying employees for all hours worked. On this issue, Accor "commits, in all countries where it operates, to never resort to undeclared work and ensures that directives are issued accordingly."

The Promotion of "Fundamental Rights" and "Inclusion and Diversity"

Finally, regarding unequal treatment, illegal labor loaning, and discrimination that strikers denounced, Accor has clear commitments. First, in its Ethics and CSR Charter, within its "ecosystem" it commits to promoting "fundamental rights at work." Beyond the group, it pledges to "respect workers' rights in general and ensures that its service providers and suppliers do not violate these rights." Concerning forced labor, the group "is committed to exercising rigorous oversight of suppliers and service providers who may resort to people working under coercion or threat."

The fight against gender-based and cultural-origin discrimination is one of Accor's major initiatives through its international network for Inclusion and Diversity, named RiiSE, which includes a training plan for the group's employees. Accor demonstrates a commitment to "cultural diversity" with initiatives that directly address the social groups to which the Ibis Batignolles housekeepers and their family, as first-generation immigrants, may belong: professional integration of young people from disadvantaged neighborhoods, programs against illiteracy, and support for the integration of refugees.

Regarding these commitments to discrimination, Accor clearly communicates its expectations to the stakeholders within its ecosystem, particularly to hoteliers and their providers:

"YOU MUST ALWAYS:

Establish a strong relationship with service providers or subcontractors, which implies that they commit to applying all the rules related to health, safety, and human rights of our Group to their own employees. Thus, no difference should be allowed among employees within Accor brands

concerning workplace health and human rights." (*Ethics and Corporate Social Responsibility Charter, 2020*)

5.2.3. Complying Beyond Legal Obligations

In this final section of the findings, we demonstrate how the multinational strategically maintains ambiguity regarding its scope of responsibility by leveraging the legal framework to its advantage.

Over the past 20 years, Accor has developed several tools specifically aimed at managing the "risks" associated with subcontractors and suppliers. The first procurement charter was implemented in 2004 to regulate the practices of cleaning subcontractors and ensure their compliance with labor laws, in response to the first highly publicized conflict involving subcontracted housekeepers that the hospitality group faced.

Since then, the group has expanded its toolkit. In particular, following the 2017 Vigilance Law, which strengthened the legal obligations of contracting companies toward the employees of their suppliers, Accor developed a risk policy and management tools to comply with this new legal framework. The Vigilance Law, created to hold multinationals accountable within global value chains, mandates the production of a "vigilance plan" for all companies with more than 5,000 employees, aimed at identifying, evaluating, and managing supplier-related risks.

However, despite not owning the majority of hotels in its network or employing their staff, Accor presents its vigilance plan as if it were the primary contracting party. Indeed, the plan includes initiatives that not only address its own risks as a hotel group but also extend to cover risks associated with suppliers of affiliated hotels as if these hotels were subsidiaries of Accor Group. The group classifies ninety-eight product categories "consumed" by hotel owners under the Accor brands into three levels of risk: "standard," "at risk," or "high risk."

To manage these risks, four main tools are employed: a "Know Your Counterparty" questionnaire completed by both the buyer and the supplier and validated by the Compliance department; a mandatory charter that suppliers must sign, outlining the group's CSR commitments and requiring suppliers and subcontractors to meet these high standards; a CSR self-assessment by the supplier; and CSR audits conducted by an external audit firm. Depending on the risk level of the procurement category, these tools may be partially or fully utilized.

This risk management process with regard to procurement is implemented to ensure that all purchases within the Accor Group's network comply with their internal Ethics and CSR Charter, despite the group having no legal responsibility for most of the purchases covered by this plan (cf. Accor 2020 Vigilance Plan). Accor thus complies with the legal framework of the Vigilance Law beyond its actual scope, reappropriating the legislation to create the illusion of assuming responsibility for the entire network of hotel owners, despite not bearing any legal responsibility.

CONCLUSION

Using the housekeepers' strike as its starting point, this paper aims to analyze the contrasts and variations in Accor's use of legal frameworks during the strike to elucidate how the multinational engages with the law in relation to the violence resulting from subcontracting. Our findings describe how the Accor Group maintains ambiguity around its legal status and power over the housekeepers' situation during the industrial dispute. By perpetuating an illusion of responsibility through compliance practices and discourses, the hotel group creates opacity for employees at the lower end of the production chain, such as housekeepers. This lack of clarity leads to confusion, which ultimately benefits Accor during the strike and enables the continued perpetuation of organizational violence.

In our analysis, we have identified three ways that both enable and reinforce the ambiguity regarding the legal status and the responsibility of the entity in charge of the housekeepers. Firstly, the Accor group used a defensive legal rhetoric (Sitkin & Bies, 1993) regarding their responsibility towards the housekeepers during the dispute while publicly demonstrating care as the social pressure was growing. They engaged in a ping-pong game with the subcontractor STN regarding legal responsibility, which maintained ambiguity on the matter. Secondly, their CSR programs clearly cover what they refer to as “all their employees participating in their operation” which includes housekeepers. The Accor Group has developed a CSR program to address issues such as racism and sexual violence faced by housekeepers, but these initiatives do not fully align with the actual concerns raised by the housekeepers during the dispute. More importantly, this CSR program further exacerbated the ambiguity regarding legal responsibility towards these workers. Thirdly, the Accor Group engages in practices and takes on responsibilities that go beyond legal requirements, but in areas that are not directly relevant to the core issues of a hotel group such as Accor. As a result, they interpret regulations in ways that maintain and even deepen the ambiguity around their legal accountability.

Overall, this paper has demonstrated how, on the one hand, the specific experience of violence faced by housekeepers in the Ibis Batignolles case led them to strike not against their direct employer, but against the Accor Group, while, on the other hand, this group had no legal responsibility toward the housekeepers. This revealed the gap between the strikers' and union's understanding of Accor Group's status and the reality of its legal status and scope of responsibility.

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