Towards a Cultural Sociology of Whistleblowing

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Abstract
This paper offers some preliminary and exploratory thoughts towards a cultural sociology of whistleblowing. It takes as its starting point the ambivalent organizational and societal response to public interest disclosures. On the one hand, whistleblowing is encouraged and whistleblowers are celebrated for their integrity and moral courage. Yet they commonly suffer reprisals and are vilified as malcontent troublemakers. While there has been considerable research across a number of disciplines, analysis of this vexing issue from a cultural standpoint remains limited. This paper suggests that cultural sociology offers a valuable lens through which to examine the contradictions surrounding the incitements and prohibitions to whistleblowing. Such a perspective would provide a valuable complement to scholarship on organizational dissent across a number of disciplines. It is further argued, that for the discipline of sociology, whistleblowing offers a unique perspective from which to assess longstanding concerns, such as the shifting relationships between the individual and the social, how acts of civil disobedience contribute to a viable democratic social order, and what the experiences of the marginalized reveal about the social world we inhabit.

Keywords
Culture, whistleblowing, organizational control, democracy

Introduction
In the early 1970s, the concept of ‘whistleblowing’ entered popular and political discourse to describe a particular form of individual dissent associated with the act of exposing unethical or illegal conduct within organizations. The term itself is widely credited to American consumer advocate, Ralph Nader’s 1972 publication, Whistle Blowing: The Report of the Conference on Professional Responsibility (Vandekerckhove, 2006). Nader (1972: vii) contrasted whistleblowing to organizational loyalty, describing the whistleblower as an individual who believes that ‘the public interest overrides the interest of the organization which he serves.’

In recent years, both in Australia and internationally, government and industry have encouraged a ‘positive culture of whistleblowing’ through the introduction of public disclosure policies and legislation to protect whistleblowers (Brown, 2006; Vandekerckhove, 2006). Yet despite recognized benefits to organizations and the community more generally—and moreover, the public celebration of whistleblowers—those who make public interest disclosures often do so at a high personal cost. They are commonly constructed as disobedient and psychologically disturbed, their actions invite reprisals, they are vilified, isolated, and
many suffer financially and emotionally (Alford, 2001; De Maria and Jan, 1997; Miethe, 1999). International research indicates that between half and two thirds of those who make public interest disclosures lose their jobs, and many are never able to secure work in the same field again (Alford, 2001; Glazer and Glazer, 1989; Miethe, 1999; Rothschild and Miethe, 1996).

This paper provides some tentative and provisional thoughts towards a cultural sociology of whistleblowing. In particular, it suggests two lines of inquiry: an historically situated cultural analysis to illuminate the socio-historical context surrounding the incitements and prohibitions of public disclosure, and an examination of the symbolism of the classic whistleblower story, which so consistently captures the public imagination, vis-à-vis the ambivalent societal response to whistleblowers. The definition of whistleblowing utilised in this paper follows the Report of the Select Committee on Public Interest Whistleblowing, which defines it as ‘the disclosure by organization members (former or current) of illegal, immoral or illegitimate practices under the control of their employers to persons that may be able to effect action’ (Commonwealth of Australia, 1994: 3).

This definition distinguishes whistleblowing from other forms of disclosure such as spying or informing and it also differentiates this kind of activity from revelations of those who have been victims of illegal or abusive conduct, for example in the case of malpractice by doctors or sexual assault by the clergy. Yet, these two kinds of disclosure are connected. For not only does the desire to act in the public interest often cut across both forms, but there are also important socio-historical shifts which have made possible such challenge to authority. The cultural context in which whistleblowing arose, and the cultural symbolism of the whistleblower story, provide the staring point for a cultural sociology of whistleblowing as outlined here.

**Whistleblowing in Australia and Beyond**

Whistleblowing has become a subject of public interest and media attention, legislative reform and academic scholarship throughout much of the developed world (Vandekerckhove, 2006). Individuals who have challenged cultures of concealment in government, industry and religious institutions have exposed an astonishing range of unethical, abusive and illegal conduct, including malpractice and negligence in the health sector, breaches of national security, environmental damage, political and police corruption, corporate fraud, falsification
of research findings, fabricated intelligence, institutionalized violence, and child sexual assault. In the United States, the political fallout that followed the 1971 leaking of the ‘The Pentagon Papers’—a series of classified reports documenting America’s involvement in the Vietnam War—is an early and compelling example of the power of whistleblowing (Martin, 2003). More recently, corporate accounting fraud at Enron and prisoner abuse at Abu Ghraib, were exposed by individual whistleblowers (Bryan, 2007; Lacayo and Ripley, 2002).

Australian cases are similarly dramatic. The so-called ‘Doctor Death’ scandal at Bundaberg Hospital came to light after concern about patient safety, repeatedly downplayed and rebutted by hospital management, was brought to public attention by intensive care unit manager, Toni Hoffman. A subsequent inquiry linked the deaths of 13 patients and significant adverse outcomes of scores more to the alleged negligence and criminal misconduct of Dr Jayant Patel (Davies, 2005). Hoffman’s actions have been hailed as heroic. She was named in the Australia Day honours as ‘Australian Local Hero 2006’ and in 2007 was made a Member of the Order of Australia. Yet in raising concerns about patient safety, Hoffman was intimidated, bullied and ‘threatened with jail time’ (ABC, 2005). Allan Kessing, former senior customs officer, faced exactly that prospect. In 2003, he documented a series of security breaches at Sydney airport, including criminal conspiracies, drug trafficking, and baggage theft, and made recommendations for improvements in aviation security. His report was suppressed and customs officials denied knowledge of its existence until extracts appeared in the Australian newspaper. Even though the report’s findings were confirmed and led to a $200 million overhaul of airport security, Kessing was sentenced to a nine month suspended jail term for leaking classified documents (Brown, 2007a).

In recent years, recognition of the need to protect those who make public interest disclosures has resulted in legislative reform throughout much of the world (Vandekerckhove, 2006). Yet these developments are commonly criticised as inadequate and grossly ineffectual. Not only has the value of legislative protection itself been questioned, but the increase in the use of employment secrecy clauses over the same period has limited its effectiveness (De Maria, 1999: xi; Dworkin and Callahan, 1998). As Allan Kessing’s case illustrates, individuals who are found to have breached secrecy agreements risk legal action, even when there is a demonstrated public benefit from disclosure (Brown, 2007a). Moreover, in the Australian context, there has been much disquiet about the tactics used by government to control public opinion and minimize dissent (Hamilton and Maddison, 2007), including the threat of
prosecution of so-called ‘leakers’ (Marr, 2007; Wilkie, 2007).

Internationally, there has been significant research in areas of legislation and policy, professional ethics and corporate governance, as well as studies of psychology and work. Yet despite the need for a better understanding of the complex issues associated with public interest disclosures, there is little by way of socio-cultural approaches to illuminate the trends identified through quantitative studies and policy analysis (Miceli and Near, 2005; Perry, 1998; Vandekerckhove, 2006). In the context of post-9/11 concerns about democracy and the ‘silencing of dissent’ (Hamilton and Maddison, 2007) by all levels of government and across the public and private sectors, there is an urgent need for further research that moves beyond policy and legal frameworks, psychological accounts of the dissident personality, and structural analyses of organizations, to consider the socio-cultural context in which whistleblowing has arisen and examine the collective societal response to such positive acts of resistance. I turn now to the question of how a cultural sociological analysis might provide a useful complement to existing understandings of the phenomenon of whistleblowing.

**Towards a Cultural Sociology of Whistleblowing**

Jeffrey Alexander’s (2003: 3-4) notion of the work of cultural sociology as bringing ‘the unconscious cultural structures that regulate society into the light of the mind’ is a useful point at which to begin. For in trying to understand the complexity of whistleblowing, it is important to first identify, and then find fruitful ways of grappling with, cultural contradictions. In developing this line of analysis, I also employ the idea of culture as ‘meaning-making’ with a particular focus on the informal, mundane, taken-for-granted systems of meaning of everyday life (Geertz, 1973; Edles, 2002; Spillman, 2002).

*Historically situated cultural analysis*

The starting point for the cultural sociology of whistleblowing advanced here is an historically situated account of the socio-cultural context in which whistleblowing arose, as a *concept* and as a *phenomenon*. Certainly, forms of civil disobedience and insiders ‘going public’ have, as Nick Perry (1998: 101) notes, a ‘long, if decidedly uneven, lineage’. Indeed whistleblowing as an ideal has deep historical roots in the Western democratic tradition. As Perry (1998: 102) argues, what is foregrounded in accounts of whistleblowing is ‘the principled ethico-political stance of the whistleblower versus the governing realpolitik of the system; moral wo/man against immoral’.
This observation sheds light on a critical aspect of whistleblowing, but it doesn’t illuminate the question of how these ideals take a particular form at a particular time. Whistleblowing, insofar as it has been culturally constructed, is a relatively recent, and indeed distinct, phenomenon. The concept itself arose in the 1970s during a time of significant shifts in socio-cultural, political and personal life: personal empowerment discourses challenged the idea of ‘organizational man’, globalization and deregulated capitalism transformed industry, and the media proliferated and assumed an increasingly powerful role in Anglo-American societies.

Miethe and Rothschild (1994) note that whistleblowing has been made possible by the rise of the complex modern bureaucratic organization. This constitutes a significant facet in historically situating the rise of whistleblowing. Another equally important point to note is that the distinctiveness of whistleblowing as a phenomenon involves a particular, individualistic form of challenge to authority. Thus, the introduction of legislation and whistleblower protection policies legitimize the act of speaking out and promise empowerment of the worker/individual (Vandekerckhove, 2006). Moreover, whistleblowing itself constitutes an important counterpoint to familiar laments of the proliferation of self-interest and personal fulfilment often argued to be characteristic of the contemporary era. Nevertheless, attempts to protect individual whistleblowers have been widely criticised as inadequate, for rather than receiving support and protection the whistleblower is often ostracised and frequently suffers reprisals. Moreover, during the 1990s, as legislative changes were enacted to afford whistleblowers greater protection, another trend in organizational governance—the rising popularity of confidentiality agreements—threatened to curtail the advances afforded by legislative reform (Dworkin and Callahan, 1998).

An influential interpretation of these developments has been to view them as organizational attempts to wrest back control, or as De Maria (1997) puts it, the organization in ‘vendetta mode’. There is significant merit to this line of analysis for it sheds light on dynamic processes of organizational change and continuity. What it doesn’t illuminate, however, are the broader cultural contradictions associated with the kinds of public disclosure that became commonplace during the last decades of the twentieth century. For as with confessional narratives, and revelations by victims of abuse, whistleblowing provokes an uneasy and ambivalent societal response. Whistleblowers are at once celebrated and vilified: hailed as moral exemplars, heroic and courageous in their refusal to remain silent witnesses of abusive
authority or unethical conduct. Yet they are also constructed as troublemaking malcontents, and their psychological health is frequently questioned. At odds here, is the clash of cultural imperatives, an examination of which reveals that the effectiveness of organizational attempts to discredit whistleblowers is aided by deeper cultural ambivalences surrounding notions of loyalty and dissent.

The Cultural Contradictions of Whistleblowing

Stories of whistleblowers who ‘go public’ with concerns about organizational failures, ineptitudes and malfeasance has consistently captured the public imagination, both in Australia and elsewhere. Among the personal narratives of all forms that have proliferated in recent years, the story of the whistleblower is particularly compelling. The typical narrative involves a struggle between the moral person of conscience and action against the might and power of the corporation or the government. It involves courage, the quest for truth and justice, moral fortitude and determination in the face of power and/or corruption. These themes have particular resonance in the popular imagination, in film, biography and in the news media.

In the popular media, whistleblowers are heralded as courageous moral people of action for ‘speaking out’ against organizational power. As Perry notes (1998), the public celebration of whistleblowing is also evident in popular film, for example ‘Serpico’ (1973), ‘Silkwood’ (1983) and ‘The Insider’ (1999). The news media has played an important part in the elevation of whistleblower stories, with journalists commonly championing the cause. In 2002, American Time magazine named three female whistleblowers as persons of the year. The article began by stating that in taking ‘huge professional and personal risks to blow the whistle at WorldCom, Enron and the FBI’, Cynthia Cooper, Sherron Watkins and Coleen Rowley ‘remind us of what American courage and American values are all about’ (Lacayo and Ripley, 2002).

Yet while the virtues of truth and justice are applauded, whistleblowing is at odds with equally powerful cultural imperatives. For in making public disclosures the individual transgresses codes of organizational loyalty and collegiality. Moreover, in the Australian context in particular, ‘dobbing’ is perceived to be an especially offensive act of disloyalty. De Maria (1999: 32) distinguishes between dobbing and whistleblowing on the basis of a power differential, arguing that dobbing involves ‘the powerless reporting to the powerful on the
misdeeds of the powerless. Whistleblowing, on the other hand, he argues, ‘is the powerless disclosing the misconduct of the powerful’. While providing a useful analytical distinction, it does not, however, adequately grapple with the question of how the powerful cultural prohibition against dobbing may nevertheless be implicated in whistleblowing.

This raises a question of equal significance to that of why some people become whistleblowers: why so many people do not. The draft report of the Griffith collaborative research project, *Whistling While They Work*, identified a number of important factors, including the belief that there would be a failure to act on complaints and fear of reprisals (Brown, 2007b). The recent case of the so-called ‘Butcher of Bega’, Dr Graeme Reeves, who is alleged to have mutilated the genitals and sexually assaulted perhaps hundreds of women, was brought to light through his victims coming forward (Ramachandran, 2008), rather than exposure by colleagues. Greeses, of course, was not alone in the operating theatre when these incidents were alleged to have occurred. Yet this abuse was apparently not reported by nurses or anaesthetists. The question that remains is why. And despite all the existing whistleblowing research, from a diverse range of disciplinary perspectives, this issue remains inadequately understood. Certainly factors such as those highlighted in the *Whistling While They Work* Report are important. Yet there are also deeper and more complex issues at stake, notably the contradictory cultural imperatives involved in whistleblowing. The promise of cultural sociology, as Alexander (2003: 20) asserts is that ‘it offers explicit causal links between culture and social structure’ and it is in such a way that this standpoint may provide a valuable new perspective on this vexing issue.

**Conclusion**

Given the importance of whistleblowing—for the protection of those under the care of others and for democracy and civil society more broadly—there is a pressing need for further research that sheds light on the discontinuities associated with this form of organizational dissent. This paper has argued for a cultural sociology of whistleblowing to provide an historically situated account of the social conditions, cultural incitements, and institutional frameworks that have made possible challenges to, and exposure of, unethical or illegal conduct within organizations. Cultural sociology, I have suggested, would provide a valuable lens through which to examine the tensions that such challenges to traditional authority provoke: that whistleblowers are both celebrated for their integrity and moral courage and vilified as troublemakers points to a social issue in urgent need of analysis. Given the
recognised importance of whistleblowing to institutions, the community and democracy more generally, further research on whistleblowing will be of particular value to scholarship on organizational dissent across a number of disciplines, it will inform public debate on ethics, and will provide a critical perspective for reforms in legislation, social policy and corporate governance. For the discipline of sociology it also offers a unique lens through which to examine longstanding theoretical concerns, such as the shifting relationship between the individual and authority, how acts of dissent contribute to a viable democratic social order, and what the experiences of the marginalised reveal about modern societies.

References
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