Whistleblowing and neoliberalism: Political resistance in late capitalist economy

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The reigning global market ideology, frequently referred to as neoliberalism, inherently strives for fewer economic regulations in order to create greater wealth for humanity. Whistleblowing, on the other hand, is an action that aims at preserving the conditions and values of the greater common good. Therefore, economic considerations, and human and ethical considerations sometimes collide. In the present globalised economy where neoliberalism endeavours for fewer regulations, workers that oppose wrongdoing at work (i.e. whistleblowers) seem to hold a unique position in-between governmental interference and singular action. Whistleblowers are neither sole state regulators nor grass root activists but attempt to effect change from within the organisation. This paper discusses ways in which neoliberalism can influence the act of whistleblowing.

The phenomenon known as whistleblowing is often portrayed as the act of audacious individuals that perform the act of reporting wrongdoing at work. However, whistleblowing, as most social actions, exists in the midst of 'political, religious and cultural systems that are regulated and enforced by laws, beliefs, power structures and histories' (Power, 2011, p. 1). Yet, there has been surprisingly little attention directed to how ideologies relate to the act of whistleblowing. In this paper will we therefore discuss ways in which the dominate ideology in late capitalist economy, neoliberalism, can influence the act of whistleblowing.

WHISTLEBLOWING

Theoretically, whistleblowing has been defined as 'the disclosure by organization members (former or current) of illegal, immoral or illegitimate practices under the control of their employers, to persons or organizations that may be able to effect action' (Near & Miceli, 1985, p. 5). The origin of the term whistleblowing has traditionally been linked to the act when a police officer alerts the public and his colleagues of criminal acts (see e.g., Johnson, 2003). The first official known usage of the term dates to 1963 when Otto F. Otepka reported about security risks in the State Department during the Cold War to the American Senate Subcommittee (Peters & Branch, 1972). According to Peters and Branch, Otepka became a right-wing martyr and is considered as the first whistleblower in the modern period.

Historical Roots

Historically, precursors of the act that we know as whistleblowing today can be found in a range of sources (Bjørkelo, 2010). Two examples are Hebrew prophets who risked their lives when they criticised their rulers in the eighth century before Christ. Another is Socrates who faced public prosecution for having corrupted youths with stories of 'truth' (see e.g., Plato, 395 BC/2003; Vinten, 1994). Yet, the ancient Greek society also had the official position of the 'truth-teller' that was protected from harm for exercising what was called 'fearless speech' or parrhesia (see e.g., Foucault & Pearson, 2001; Mansbach, 2011)[1]. Whistleblowing has also been linked to medieval times in the United Kingdom and the 'qui tam' law that enabled citizens to sue each other in the name of the king, a practice that worked as a type of civil police (Arszulowicz, 2007)[2].

From fiction in theatre and literature the act of reporting wrongdoing is known in particular from the story about Dr. Thomas Stockman (Bok, 1984). The play *An Enemy of the People* (1882/2000) by Henrik Ibsen tells the story of the town doctor reporting about the pollution of the new public bath. In Ibsen's play, the motive for the local authorities' denouncement of Dr. Stockman seems to be financial. A closure of the baths would be a serious blow to the economic growth for the small coastal town due to the town's dependence on tourism. The aim of the report, namely to protect citizens from dangers to their health, was however not appreciated and Dr. Stockman became an outcast in his community.

Modern Day

In the modern period (60s and 70s), publicly known Northern American whistleblowing cases concerned issues of societal concerns, such as toxic waste, pollution of drinking water, and systematic corruption (Glazer, 1983; Maas, 1973; Mathews, 1987). Gradually these acts of whistleblowing received attention from the public media, and even the Hollywood film industry. Steven Spielberg's blockbuster *Jaws* is simply a modern day version of Ibsen's play, only a shark has replaced the less spectacular bacteria. Whistleblowing stories that dealt with widespread organisational wrongdoing founded the basis of other movies such as *Marie*, *Serpico* and *Silkwood* (see e.g., Glazer & Glazer, 1988). In the whistleblowing case of Karen Silkwood, the wrongdoing consisted of misconduct and hazards at the Kerr-McGee nuclear power plant. The same company was in 2005 excluded, and later re-included in the Norwegian Government Pension Fund due to perceived organisational misconduct outside Western Sahara[3].

During the Vietnam War, Daniel Ellsberg blew the whistle on manipulation and deceit by the US government and became 'the capstone contemporary ideological whistle-blower' (Peters & Branch, 1972, p. 222-223). Then in 1971, the US politician, activist and lawyer Ralph Nader organised a conference on 'Professional Responsibility'. The report from

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1 http://foucault.info/documents/parrhesia/
2 Translated with the help of Katarzyna Cantarero.
3 http://www.regjeringen.no/en/dep/fin/press-center/press-releases/2006/KerrMcGee-Corporation-is-again-included-.html?id=419868 and http://www.regjeringen.no/en/dep/fin/Selected-topics/the-government-pension-fund/responsible-investments/companies-excluded-from-the-investment-u.html?id=447122

the conference was later published and became one of the first written documents on the notion of whistleblowing as we know it today (Nader, Blackwell, & Petkas, 1972).

Whistleblowing as political behaviour

Whistleblowing can but does not always have to be considered as political behaviour (Miceli & Near, 1992). Political behaviour in organisations can be defined as 'activities that are not required as part of one's organizational role but that influence, or attempt to influence, the distribution of advantages and disadvantages within the organization' (Farrell & Petersen, 1982, p. 405). Workers that report wrongdoing can do so due to a role description or not (Miceli & Near, 1992).

According to Rothschild and Miethe (1994), whistleblowing can be seen as a form of worker resistance that challenge, and has the potential to change, organisational misconduct and abuse. They also regard whistleblowing as an action that potentially can give rise to public and collective actions against wrongdoing at work. In this way, an 'individual's original observations' can turn 'into a public issue' which again can pave the way for fundamental social change (Rothschild & Miethe, 1994, p. 271). De Maria (2008) agrees and contends that whistleblowing can lead to group protest and societal change.

Thus, the ordeal of reporting misconduct and the experience of suffering reprisals can transform and politicise a worker (Rothschild & Miethe, 1994). One whistleblowing case that can illustrate this shift is the experiences of Chuck Atchison (Glazer & Glazer, 1988). Atchison came to believe that serious violations of safety were taking place at the Comanche Peak nuclear plant in Glenrose, Texas. According to Glazer and Glazer, Atchison was fired after having unsuccessfully attempted to effect change to the current practice. He later joined grassroot organisations in the battle against safety threats within the nuclear industry. Another illustration of how whistleblowing can lead to wider societal change is the 'envelope wages' case from Lithuania. Dalia Budrevičienė reported about malpractice where salary was paid in full or partly in an envelope at the cost of social security for the workers involved (Woolfson, 2007). As a result of Budrevičienė's efforts nationwide attention was directed towards deteriorated employment relations across Lithuania according to Woolfson. This was the first time since Lithuania's independence that issues concerning labour rights had been raised and created 'significant social, if not yet political, resonances' (Woolfson, 2007, p. 561).

Thus, whistleblowing can potentially start off with workers efforts and develop into societal changes that again can transform workers' rights and working conditions. Now, let's turn to the dominant ideology today, neoliberalism, which in general also puts its faith in the individual's hands more so than in the hands of national custom or central leadership.

NEOLIBERALISM

Neoliberalism can be defined as 'a theory of political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets, and free trade' (Harvey, 2005, p. 2). Since the late 70s and

early 80s, neoliberalism has been regarded as the predominate ideology in numerous regions of the world (in particular in North America, Western Europe, South Africa, Southeast Asia including China and Oceania). Despite that neoliberalism in a sense inherently seeks the abolishment of the state, Harvey (2005) argues that the state does not simply vanish under neoliberalism. However, the state's role transforms into primarily maintaining an institutional framework where the neoliberal economy can prosper. In some cases this even implies the establishment of markets that previously didn't exist (i.e. the energy trade that was privatised in Norway during the 90s).

There is another essential dimension to neoliberalism that goes beyond political economy (Brown, 2003). According to Brown, neoliberalism carries with it a particular social analysis that potentially 'reaches from the soul of citizen-subject to education policy to practices of empire' (2003, p. 3). The classical liberalism of Adam Smith, articulated a distinction and sometimes tension, among the standards for individual moral, associational and economic actions. Neoliberalism however constructs and interpellates the individual as an entrepreneurial agent in every sphere of life. As a consequence, the past discrepancy between economic and moral behaviour is erased. Individual responsibility under neoliberalism is lifted to historical heights as the rational calculating individual is held responsible for the consequences of his or her action whether he or she succeeds or fails in achieving education or a secure job (Brown, 2003). Hence, the merger between the economic and moral sphere, and greater strain on individual responsibility under neoliberalism, is of particular interest to the act of whistleblowing.

Empowerment in the Workplace

This immensely responsible neoliberal subject – sometimes referred to as 'the Enterprise Self' (Heelas, 1991) – is empowered through this rule of governing. This is at least according to the official programme of neoliberalism where 'self-conduct' means that neoliberal subjects are historically free and responsible to exercise their autonomous freedom in absence of governmental interference (Cruikshank, 1999). Within the workplace, 'empowerment' means to provide employees with the opportunity to make their own decisions. Organisational theory and management philosophies that deal with 'employee empowerment' typically stress that managers must empower their employees by sharing more information, help to create autonomous workers, and tear down the old hierarchies with self-managed teams (see for instance Blanchard, Carlos, & Randolph, 1996). In accordance with the neoliberal ideal of power that materialise from external authorities to internal self-government, employees are empowered with better opportunities and more responsibility within the organisation to ensure efficiently and maximum profit. Finally, this shift in power means that employees are given and also must accept greater responsibility for their work environment, including the willingness to report wrongdoing if so necessary.

Critique of Neoliberalism

Neoliberalism is of course not without its critics. Critics usually question whether late capitalism really proliferates human well-being, or query whether the increased wealth and well-being of *some* is achieved in a globalised marked that exploit others (i.e. for instance workers in third world nations). From the perspective of whistleblowing,

neoliberalism, which basically is a program for economic growth, provides us with a potential classic dilemma (cf. *An Enemy of the People*) between profit and moral and ethical concern for people's safety and well-being.

Adversaries of neoliberalism claim that its ideological program is directed to the destruction of collective arrangements such as labour rights; as such rights often hinder efficient economic expansion. Dufour (2008) for instance claims that the great novelty of neoliberalism, unlike previous ideologies that ruled through institutional control, is that this new form of capitalism runs on deinstitutionalisation. Thus, not only does neoliberalism desire 'less state', but it also seeks less of any institutional formation. This includes cultural or moral institutional formations that may hinder the bond between individuals and commodities. In line with this, the ideal neoliberalism citizen is a de-symbolised political subject who neither answers to guilt nor relies upon a critical free will and who wants to be a free-floating individual not held back or weighed down by symbolic ties of any form (cf. Dufour, 2008). The process of de-symbolisation implies that anything connected to the transcendent sphere of principles and ideals is indirectly discredited if they cannot be converted into commodity exchange. One example of a resource for resistance that can be discredited is moral values which according to Dufour will be devalued if they do not utilise profit in the free market ideology.

It has also been argued that the free market ideology has the power to affect social contracts between the individual and the community in ways that can radically alter 'social, collective or common arrangements and safety nets' (Nafstad, et al., 2007, p. 316-317). The authors mention labour unions and welfare provisions as examples. Bourdieu (1998a) showed how the labour market under neoliberalism is *individualised* through the use of personally adjusted salaries, positions and competence – what he calls the atomization of work. In comparison, others have described how worker resistance can be *outflanked* by management (Clegg, 1994; Collinson, 1994). Outflanking can for instance involve shop floor worker resistance that is neutralised 'by managerial knowledge, as an unintended consequence of accounting practices' (Clegg, 1994, p. 299) or when subordinates 'have little knowledge of others who are equally powerless and with whom alliances could be constructed' (Collinson, 1994, p. 27).

Finally, Sennett (1998) has examined the personal consequences of work under what he calls 'the new capitalism' and the effects it holds on the human experience of belonging. Sennett's main argument is that the new capitalism creates a fundamental instability that is built into the everyday practices of work. Such instability includes uncertainties of flexibility, the absence of deeply rooted trust and commitment, and even the not unlikely outcome of failing to make something of oneself through labour. In this way the new capitalism creates a conflict between character and experience and an increased experience of unpredictability. Further, disjointed time threatens the ability of people to form characters consisting of coherent and stable narratives (Sennett, 1998). This may bring employees and workers in conflict between instrumental compliance, between the fear of losing one's job and whistleblowing. Restructuring of the workplace can also have led to 'an overarching loyalty to the organization' with the consequence of resistance and opposition being eliminated (Uys, 2010, p. 120). Thus, on a deeper level the most troubling notion, relating to whistleblowing, is perhaps that Sennett maintains that the question of belonging - "Who needs me?" - suffers a radical challenge under modern capitalism, as the system reliance on flexibility and quick turnovers, in fact radiates

indifference. Why should workers care for their workplace to the extent of reporting wrongdoing when they know they will have to move on soon anyway?

DISCUSSION

Now, what have these suggested societal changes to do with the individual act of whistleblowing? Quite a lot, as individual responsibility in the workplace, and the chance of someone exercising it, is not simply down to personal character, but as Power (2011) states related to historical, social and political circumstances. Of particular interest is what the 'workplace' actually has come to mean to workers. Bourdieu (1998b) called neoliberalism a political project dedicated to the methodical destruction of collectives. He emphasised how this presented a new kind of economic responsibility on agents. Bourdieu linked this tendency to the overall neoliberal individualisation of working life where organisational profits are turned into individual merit (through personal contracts and salaries) and individual responsibility. Thus, workers cling to their jobs and organisations under conditions of insecurity, suffering and stress. On the other hand, neoliberalism can be argued to having opened society for *more* individual rights, independent of social class, as working life before neoliberalism tended to be heavily based on class hierarchies. Thus, the focus on the actual merit related to one's job performance, independent of class, is perhaps the positive outcome of the new working life where everyone is given the opportunity to take control over their own individual career.

Modern management techniques seek to abolish the traditional authoritative hierarchy, which initially may sound like a humane development. However, an outcome of new management can also be that responsibility becomes much more elusive than in the past. Sennett (1998) for instance views the tendency to diminish the traditional hierarchy of authority and instead make every worker responsible in the new capitalism with suspicion. Neoliberalism forces each and every one to accept a greater responsibility for themselves and their individual careers. Who then holds the responsibility for 'the bigger picture' traditionally guaranteed by the state? What happens to traditional politics? As one manager states when confronted with the decline in jobs: 'We are all victims of time and place' (Sennett, 1998, p. 114). Neoliberalism is in a sense freeing everyone and leaving no one to blame for the misery, not even top managers.

The conditions of whistleblowing under neoliberalism can therefore be seen as a paradox as neoliberalism is based on a firm belief in the sole individual's capacity while traditional moral at the same time becomes superfluous (cf. Dufour, 2008). Transferred to the organisation this means that the organisation depends more on workers to report wrongdoing, while morals are silently, but methodologically downplayed (cf. Sennett, 1998). The long-term effects of globalised neoliberalism can thus be a loss of community and faith in local values (cf. Nafstad, et al., 2007). Such collective resources that individuals traditionally have drawn upon to become moral agents. Organisational members that report wrongdoing at work is one example of such 'moral agents' (Tsahuridu & Vandekerckhove, 2008, p. 111).

Another possible scenario when the forces of capitalism become globalised is that when responsibility no longer belongs to local authorities, it can be pulverised. Individual feelings of responsibility to act may for instance be weakened in multinational corporations that employ people (i.e. potential actors) across different nations and areas of legislation. In line with the theory of bystander intervention (Latané & Darley, 1968), reduction of individual responsibility can prevent workers from reporting wrongdoing (Miceli & Near, 1992; Miceli, Near, & Dworkin, 2008). Thus, in situations where numerous actors have the (apparent) ability to act or intervene, the likelihood that anyone actually will is reduced. One might also argue that a globalised business world requires an extended and 'global consciousness' in order to prevent that matters of societal and cross national importance from becoming individualised.

It might also be the case that the free market ideology can have an influence on whistleblowing through a weakening of necessary or favourable conditions for it to take *place*, as workers sense of *belonging* may be weakened (cf. Sennett, 1998). Cross-national research has for instance shown that words and phrases related to the free market ideology are used more frequently than phrases related to social responsibility, such as for instance 'solidarity' (Nafstad, Blakar, Botchway, & Rand-Hendriksen, 2009). This can indicate that societal focus on solidarity is diminishing. But, does this imply that neoliberalism and globalisation makes it more difficult to report wrongdoing?

It is possible to interpret the increase of known whistleblowing cases in the Western world from the last decades as a consequence of successful acceptance among workers of increased responsibility under neoliberal government. For instance, some argue that modern economic organisations have created conditions in which whistleblowing is becoming a more prominent strategy for employees to assert influence (Rothschild & Miethe, 1994). Rothschild and Miethe use the notion 'worker agency' which can be defined as 'the capacity of workers to influence the process and terms of production' (p. 253). Whereas political regimes characterised by weakened worker agency potentially might lead to less political behaviour, and less whistleblowing.

In the previous described North American era of the 60s-80s, many examples of worker resistance concerned standing up against businesses in one's own national and local context (see e.g., Nader, et al., 1972). Now, when business is globalised, reports of wrongdoing just as well concern actions taken by a business in other nations or continents. One example is for instance the whistleblowing case of Rudolf Elmer, a previous executive in Julius Baer Bank and Trust Co., who reported about how money transferred from drug business in Mexico were cleaned, managed and invested in a bank on the Cayman Islands[4]. In the case of Karen Hudes, the wrongdoing was corruption in the World Bank with global consequences in for instance the Philippines[5]. Would these workers reports have been more effective had they concerned wrongdoing within a national context? We do not know. However, Rothschild and Miethe (1994) have described how US society has transformed from a mainly manufacture-based, industrial economy to a service-based and information processing economy. They argue that task specialisation provides more and not less opportunities to observe misconduct performed by other units in the same organisation. The growth in size and complexity

4 http://www.rudolfelmer.com/
5 http://kahudes.net/

can also increase the level of self-monitoring within organisations (Rothschild & Miethe, 1994). The result is an alteration of job tasks and structures.

Proactivity in the form of whistleblowing is 'perhaps more important than ever before' in an 'increasingly global and ambiguous world of work' (Grant & Ashford, 2008, p. 5). According to Grant and Ashford, this is because when organisations 'shift from production economies to knowledge economies, they rely on employees to engage in proactive behaviour in order to promote creativity, innovation, and change' (2008, p. 5). These structural changes within modern organisations may be viewed as a result of neoliberal politics where one seeks less external governing and traditional control along with the ideals of laissez-faire economic politics. In this context, an extended usage of, for example, subcontractors in a globalised marked, *can* make it more difficult to report wrongdoing.

Two primary approaches to intervene within organisations and corporations are to (1) impose state or international regulations or to (2) trust the corporation to be self-regulatory, for instance by corporate governance (see e.g., Newell, 2002). Examples of the first are national laws that encourage whistleblowing and protect workers who report wrongdoing from retaliation. An example of self-regulation is the focus on the triple bottom line which among other things focuses on environmental and human rights issues (Daboub & Calton, 2002; Newell, 2002), such as organisations weighting of the cost of production versus the right to drink unpolluted water in another national site. Corporate governance concerns the process of managing 'value creation and value transference relationships among various corporate claimants' (Callahan, Dworkin, Fort, & Schipani, 2002, p. 179).

Whistleblowing can be related both to ensure the bottom line (by stopping corruption) as well as the triple bottom line (by ensuring what is considered common good across nations). According to Callahan and colleagues (2002), it is therefore possible for businesses to be prosperous *and* high on worker moral and ethical conduct. This is because whistleblowing can reduce the risk and cost of legal exposure and the risk of loss of market shares as a result of a lost market reputation. In this regard, whistleblowing might be one way to run an economic successful sustainable fair-trade business, for instance by integrating a focus of whistleblowing as a type of internal risk management (Vandekerckhove & Tsahuridu, 2010).

Another tendency within organisational life is participative management that aim at extending workers involvement on all levels. This has been called an over-involvement in work (Bourdieu, 1998b). At the same time, participative management *can* act as a way to include workers and the larger society, as in corporate responsibility and the triple bottom line (cf. Callahan, et al., 2002 and Newell, 2002). Further, organisational discourse has never talked so much of trust, cooperation, loyalty and organisational culture at the same time as guarantees of employment were eliminated (see e.g., Bourdieu, 1998a). This at the same time as trust has been found to be a prerequisite of proactive behaviour (Rank, 2009), such as for instance whistleblowing. One of the most prominent reasons to *not* report wrongdoing at work is the belief that the worker will not be heard (see e.g., MSPB, 1993). That is, the belief that nothing will change and the wrongdoing will not be stopped. The situation where responsibility is delegated to such

an extent that workers experience that no action is possible can, for instance, be characterised as a form of 'outflanking' (Clegg referred to in Collinson, 1994).

In Ibsen's play, Dr. Stockman reported about perceived wrongdoing that seemingly was upheld by local economic interests represented by the city's township at the cost of the public's health (see e.g., Bok, 1984). The Dr. Stockman of today is most likely facing a branch of a multinational company doing business in a bath facility in a small coastal town. The national and ideological background, as well as capitalism has changed since Ibsen's lifetime in the late 19th century. So have potentially the conditions for whistleblowing. Legally we know this to be the case worldwide (Calland & Dehn, 2004; Lewis, 2011; Vandekerckhove, 2011), even though many nations have chosen not to impose state or national regulations.

Regarding the ideological changes from the time of Ibsen's play and until now, we can only speculate. In 1994, Rothschild and Miethe claimed that modern economic organisations have created conditions in which whistleblowing is rapidly becoming more common. And according to Uys (2010), it is probably no 'coincidence that the phenomenon of whistleblowing started to achieve prominence in South Africa during the early nineties' in the transition time into democracy. A transition time that was also described by high levels of economic and other types of crime (Uys, 2010). Still, whistleblowing may not necessarily serve as political resistance against neoliberalism. It can also serve in perfect compliance with the individualised neoliberal ideology that masks structural changes and transforms them into individual worker's problems.

EPILOGUE

This article has discussed ways in which neoliberal ideology in late capitalist economy can have an influence on the act of whistleblowing. The conclusion is indecisive. A neoliberal ideology, with its focus on collective deregulation and individual self-governing, *can* turn collective types of wrongdoing into questions of individual employee or workers conscience. Neoliberalism and globalisation *can* make it more difficult to report wrongdoing due to diffusion of responsibility and the need for 'global conscience'. An individualised focus on structural organisational wrongdoing *can* conceal overarching political trends. However, increased worker involvement, legal regulations and internal control *can* also increase the probability that whistleblowing has an impact on workers' rights and conditions across the globalised market.

Furthermore, even though whistleblowing research often reports its findings as if the phenomenon 'is occurring in a cultural vacuum' context does matter (Uys, 2010, p. 120). It *is* different to study an act such as whistleblowing in a Northern European welfare state as opposed to in a 'majority world' (the region otherwise known as 'the third world') due to obvious reasons such as employee and human rights. As Foreign Ministry spokesman Ma Zhaoxu stated in the case of Liu Xiaobo, who later received the Nobel Peace Prize[6], 'There are no dissidents in China'[7]. Thus future attention should be given to how ideology *and* cultural issues influence whistleblowing in 'the development of a

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6 http://www.nobelprize.org/nobel_prizes/peace/laureates/2010/xiaobo.html
7 http://www.washingtonpost.com/wp-dyn/content/article/2010/02/11/AR2010021104491.html

comprehensive theoretical framework for understanding whistleblowing and the way organizations deal with whistleblowers' (Uys, 2010, p. 120).

The act of whistleblowing is receiving academic, public and judicial attention across the world. Still, the role of whistleblowing in effecting social change seems to have received less attention than the focus devoted to the individual whistleblower. There also seems to be few systematic investigations of how ideology and culture influence whistleblowing. Neoliberal reforms in the workplace can have resulted in more state and internal control, but can also have weakened the societal focus on the common good. In the future, research is encouraged to devote empirical attention to the link between ideology, context and whistleblowing. If it is the case that collective societal changes becomes more or less frequent as a consequences of ideology and context perhaps it *is* time to blow the whistle?

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