WHISTLEBLOWING AND NONVIOLENCE

by Brian Martin

Whistleblowing and nonviolent action have a number of similarities and connections, yet seldom have they been discussed together. There are a number of lessons for whistleblowing from nonviolence, and vice versa. These are raised through a series of points about whistleblowing: that isolated resistance is ruthlessly crushed, that preparation is essential, that formal channels seldom work, that the strategy of mobilization can be powerful, and that whistleblowers seldom bring about change.

Whistleblowing is speaking out in the public interest, typically to expose corruption or dangers to the public or environment.¹ Nonviolent action is a method of social change using techniques such as petitions, strikes, boycotts, and sit-ins.² On the surface, there are a number of connections between these two types of action. Whistleblowing itself can sometimes be seen as a form of nonviolent action. Another link is that various other methods of nonviolent action besides speaking out can be used against the problems raised by whistleblowers. In spite of such obvious connections, there has been hardly any discussion linking these two areas, even though each boasts considerable activity, formal organizations, a sizable body of writing and a wealth of practical experience.³

This paper is a preliminary attempt to draw lessons from each area for the other. The next section introduces the concepts of whistleblowing and nonviolence. Then, for ease of presentation, I proceed through a number of insights drawn from the experiences of whistleblowers: that isolated resistance is ruthlessly crushed, that preparation is essential, that formal channels seldom work, that mobilizing support is a powerful strategy, and that whistleblowing seldom brings about organizational change. Quite a number of insights from nonviolence for whistleblowing arise naturally from this discussion. There are also a few insights for nonviolent activists from the whistleblowing experience.

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It is inevitable in any account of this sort that the conclusions depend in part on my own personal assessments of each field. Some of the following “insights about whistleblowing” are standard, but others—such as the ineffectiveness of formal channels—are not so widely accepted, though many experienced in the area would agree with them. The aim here is to stimulate discussion of links and synergies between whistleblowing and nonviolence rather than to draw final conclusions.

CONCEPTIONS OF WHISTLEBLOWING AND NONVIOLENCE

Whistleblowing, in casual usage, means speaking out from within an organization to expose a social problem or, more generally, to dissent from dominant views or practices. Most attention, though, is focused on a narrower range of behaviors. A typical whistleblower is an employee in a government department or private corporation who makes a formal complaint about activities of the employer. For example, a member of the police might report bribery by colleagues to superiors or to a complaints tribunal. A scientist working for a pharmaceutical company might protest to management about certain adverse effects of a drug that had not been reported to regulatory bodies. An auditor working for a government transport department might leak information to the media about misuse of funds by top management.

This narrower, more specific conception of whistleblowing is encapsulated in some of the definitions used by investigators in the field. One definition of whistleblowing is “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.” Another is the “unauthorized disclosure of information that an employee reasonably believes is evidence of the contravention of any law, rule or regulation, code of practice, or professional statement, or that involves mismanagement, corruption, abuse of authority, or danger to public or worker health and safety.” Yet another defines a whistleblower as “a concerned citizen, totally or predominantly motivated by notions of public interest, who initiates of her or his own free will, an open disclosure about significant wrongdoing directly perceived in a particular occupational role, to a person or agency capable of investigating the complaint and facilitating the correction of wrongdoing.”

Nonviolence also has general and specific meanings. Speaking loosely, “nonviolent action” refers to any activity not involving physical violence that is used to bring about change in beliefs or behavior. This can include
everything from publishing leaflets to setting up alternative social institutions. Many practitioners, though, have something more specific in mind.

- Nonviolence can refer to action designed to challenge, transform and replace oppressive social institutions. In this picture, actions by oppressors would seldom be termed nonviolent.

- Nonviolence can refer to action carried out as part of a strategy or campaign designed on nonviolence principles, such as the Gandhian model.

- Nonviolence can refer to a way of life based on precepts including the search for truth, self-reliance, honesty and simplicity.

For example, a conventional strike could be termed nonviolent just because no physical force was used, whereas those with a Gandhian perspective would expect something deeper, such as a principled commitment by strikers to not using violence and the use of the strike as part of a campaign designed to transform attitudes of bosses and third parties.

In discussing whistleblowing and nonviolence here, both general and specific meanings will be used. In each area, the core insights derive from areas of activity where there is a great deal of experience and practical understanding, such as the employee who blows the whistle on fraud and the peace group that uses a range of techniques as part of a consciously nonviolent challenge to military priorities. The specific meanings of whistleblowing and nonviolence are relevant here. But it would be unwise to restrict the discussion to the specific meanings, for some of the most important insights come from rethinking how best to achieve one’s goals, and this may involve going beyond narrow conceptions of whistleblowing and nonviolence.

Whatever the definitions, there are some important similarities between whistleblowing and nonviolence. Both involve principled stands. Whistleblowers usually speak out because they cannot remain silent in the face of improper behavior; nonviolent activists typically are personally committed to resisting aggression, exploitation and injustice. Often there is a willingness to pay the penalty for dissent. This applies to whistleblowers, who are vulnerable as soon as they reveal themselves (although a few remain anonymous), and to nonviolent activists who do not try to avoid arrest or violence by the other side. Both whistleblowing and nonviolence aim to foster open discussion of issues. The whistleblower “speaks out,” often first to formal appeal bodies and then to the general public. A key aim in nonviolent action is to foster a dialogue both with the opponent and with third parties. The opponents of both whistleblowers and nonviolent activists commonly seek to shut
down dialogue and discussion by various forms of silencing. One of them is violence, which, among other things, is a denial of dialogue.

Whistleblowing, since it is a process of speaking out, never involves violence. (Whether whistleblowing can be interpreted as a form of nonviolent action is partly a matter of definition and may depend on the particular case.) By the same token, most of the actions taken against whistleblowers—such as ostracism, reprimands, demotion, transfer, slander, dismissal, and blacklisting—do not involve physical violence. (In some cases whistleblowers do encounter physical violence or restraint, for example in some police cases or cases in which a frame-up leads to imprisonment.) This is different from many cases of direct action and civil disobedience, where arrests and physical attacks are expected. The typical whistleblower in a bureaucratic organization confronts a complex system of power in which physical force may be implicated but is seldom openly manifested.

Many peace researchers and activists define “violence” more widely than physical force. The actions taken against whistleblowers, which frequently damage careers and cause severe emotional suffering, can readily be subsumed under a wider conception of violence.

What do whistleblowers and nonviolent activists see themselves as opposing and supporting? Individuals vary enormously in their answers to this question. Nevertheless, as a rough generalization, it can be said that many whistleblowers oppose corruption and bad policies in organizations, such as unethical pay-offs, protection of criminal behavior, lying to the public, and practices causing hazards to workers, the public or the environment. Their goal is to stop the improper actions, penalize the wrongdoers, and compensate those who were victimized. This is a reform perspective, in which the solution to problems is to replace corrupt people with honest ones and to establish good processes for monitoring and dealing with problems.

Many nonviolent activists trace social problems to deeper roots. Feminists attribute many problems facing women to the deep-seated system of patriarchy, whose facets include male violence, discrimination, the division of labor and upbringing, and government policies and systems of hierarchy. Environmentalists may point to the role of capitalism, industrialism, or domination of nature as underpinning problems such as the greenhouse effect or species extinction. For activists with such perspectives, reform is inadequate: fundamental changes in social structures are required. Prominent whistleblower A. Ernest Fitzgerald exposed giant cost overruns in procurement for the U.S. Department of Defense. Peace activists, by contrast, typically treat military corruption as a side issue compared to, for example, the goal of reducing military expenditure and redirecting it to civilian priorities.
However, the contrast between what whistleblowers and nonviolent activists conceive of as problems and solutions should not be overdrawn. Many nonviolent activists seek reform, such as not-in-my-backyard environmentalists. Some whistleblowers have a long experience of activism and seek major social change. There are many overlaps and similarities between the two groups. That is precisely why it is valuable to find out what they can learn from each other. With this background, it is appropriate to turn to five insights from experiences of whistleblowers and comment on their connections with nonviolence.

**POINT 1: ISOLATED RESISTANCE IS RUTHLESSLY CRUSHED**

The most common experience of whistleblowers is that they are attacked. Instead of their messages being evaluated, the full power of the organization is turned against the whistleblower. This is commonly called the shoot-the-messenger syndrome, though fortunately few whistleblowers are physically shot, at least outside of dictatorships. The means of suppression are impressive, nonetheless. They include ostracism by colleagues, petty harassment (including snide remarks, assignment to trivial tasks, and invoking of regulations not normally enforced), spreading of rumors, formal reprimands, transfer to positions with no work (or too much work), demotion, referral to psychiatrists, dismissal, and blacklisting.

The lengths to which organizational elites will go to suppress whistleblowers are amazing and hard to appreciate without hearing, first-hand, stories of reprisals. Consider the following example, by no means an exceptional one. Chuck Atkinson was a quality assurance inspector at a nuclear power plant being constructed in Texas. Initially committed to nuclear power, in 1980 he became an anonymous whistleblower concerning safety violations. He was suddenly dismissed in 1982 after reporting problems to his employer, Brown and Root, that would have required redoing work. On the day he was fired, an inspector at the Nuclear Regulatory Commission revealed his identity as a whistleblower to plant officials; since he was no longer employed, the NRC would not maintain his anonymity. After testifying publicly against the industry, he was blacklisted. For example, after obtaining a job at another power station, he was fired a few days later, after his new employers found out about his whistleblowing. Atkinson “lost his job, his home, his credit rating, his sense of personal safety, and his self-esteem as a breadwinner.”

Many individuals who speak out did not intend to be and do not think of themselves as whistleblowers. They simply speak out in the expectation
that the issues they think important will be addressed honestly and effectively. They are terribly shocked when, instead, they become the target. One reason why these “unintentional whistleblowers” have so little chance of success or even survival is that they have not mobilized support beforehand. They are lone dissidents typically up against the full power of an organizational hierarchy.

There is much that these individual whistleblowers could learn from nonviolent activists, including skills in analyzing the situation, formulating goals, developing a strategy, mobilizing support, undermining opposition, and organizing campaigns. Various types of nonviolent action—petitions, meetings, work-to-rule, etc.—can be selected according to the circumstances. A crucial part of the process is collective action, which means winning over others to support and join actions to oppose the problem.

For any experienced activist, this seems completely obvious. Activists may not be aware that there are large numbers of people in society who are principled, courageous and willing to act against social problems, but who are completely unaware of or unfamiliar with routine skills of social organizing and nonviolent action. Perhaps because so many of these principled people are employees in large organizations and subscribe to mainstream or conservative viewpoints, they do not seem likely to be receptive to the message of nonviolent activists. In part, this may be due to nonviolent action’s being seen as taking place largely in certain subcultures, for example those of full-time activists, students, or people in “alternative lifestyles.” If nonviolent action could be “mainstreamed,” namely oriented to the backgrounds, skills, and social situations of many workers, then it might well find a ready audience.

One criticism of this suggestion is to say that whistleblowers are only radicalized by their experience of whistleblowing, and that prior to this they are likely to be quite unreceptive to the idea of activism. While true in many individual cases, this ignores the large number of employees who are cynical about the organization and who might be willing to join a challenge if tools and allies were available. One strong inhibition against action is its seeming futility. Methods of nonviolent action are well known for providing a sense of collective empowerment, and this is just what is needed in a situation where isolated resistance is so risky.

POINT 2: BE PREPARED

Many whistleblowers affirm the vital importance of being prepared before speaking out. In order to justify claims, it is vital to have documents that, for example, demonstrate corruption or dereliction of duty. After a person speaks
out, it is commonplace for files to be “lost” or sometimes be altered, for access to additional documents to be denied, and for reliable witnesses to suddenly forget what they said or to change their stories. This means that it is vital to keep a diary and collect every possible document, make copies, and have dossiers ready before going public. It is also vital for whistleblowers to choose the most appropriate time and circumstances for speaking out, for example, when there is media interest in the area, or when organizational elites are weakened by other challenges.

For many organizational dissidents, it is not easy to lie low and collect information while being aware that abuses continue apace. In a hospital, for example, violations of procedures may be risking the lives of patients. Many principled employees consider it their duty to speak out as soon as possible. Unfortunately, the result is usually that they are ruthlessly crushed.

The same dilemmas confront nonviolent activists. Whether the problem is logging of rain forests, transport of nuclear materials, or racial harassment, acute awareness of the problem often encourages activists to act as soon as possible, sometimes at the expense of long-term effectiveness. It may also be more difficult to hold together an activist group for an extended period of analysis, collection of information, planning, and mobilization of support. Yet without suitable preparation, effectiveness can be drastically reduced.

POINT 3: FORMAL CHANNELS SELDOM WORK

Whistleblowers typically use formal procedures. For example, they might complain first to their boss, then to higher management, and then to appeal bodies. Charles Robertson was a chartered accountant who worked for the British accountancy firm Guardian Royal Exchange (GRE). He became aware of financial irregularities concerning taxes payable and raised the issue with other managers and the chairman. He was expected to cover up the problems he had found and, when he refused, he was suspended from his duties. He appealed to GRE’s grievance committee, lost, and was dismissed. He went to the industrial tribunal on the grounds of unfair dismissal, representing himself because local law firms declined to take his case—four out of five of them because they did business with GRE. The tribunal ruled unanimously that he had been unfairly dismissed and should be reinstated in his job. (Rulings to reinstate occur in less than one out of a hundred cases.) GRE appealed against the judgment. Robertson spent months preparing for the appeal, but GRE withdrew at the last moment. It still refused to employ him and paid the maximum penalty for violating the reinstatement order, a trivial £4,264. It took Robertson three years to get another job, at one quarter of his
previous salary. His professional association was unwilling to investigate the financial dealings about which Robertson had raised concerns.10

Whistleblowers typically are hard-working, conscientious employees who believe “in the system.” When they see something wrong, they speak out in the expectation that their complaint will be treated seriously. When, instead, they are attacked, they typically take their complaint to some higher body where they expect to find reasonable people who will dispense justice. Yet, in most cases, each new body fails to act against the problem. Many whistleblowers retain their faith that someone, somewhere, will provide justice. Without such a faith, it would be difficult to persist through appeals, inquiries and court cases for years, and sometimes decades.

There are occasional victories, of course, which encourage everyone to think that the system does work after all. But the overwhelming experience of whistleblowers is that formal channels are part of the problem.11 The reasons for this are straightforward. Appeal bodies are part of the wider system of power and usually seek or reach accommodation with other powerful groups. Hence such bodies are highly unlikely to support a single individual against the elites from a major organization, who usually have links with elites elsewhere. Sometimes appeal bodies have a crusading spirit, but these ones usually are starved of funds or come under attack themselves.

Nonviolent activists seldom have the illusion that society’s formal channels provide a solution to injustices, since otherwise it would not be necessary to use nonviolent direct action in the first place. One assumption underlying nonviolent action is that people need to take matters into their own hands rather than relying on others—elected representatives, courts, regulatory agencies, professionals—to take care of things. Whistleblowers would be much more effective if they learned from activists the power of acting directly rather than just appealing to someone else to administer justice.

Nevertheless, the experience of whistleblowers with formal channels may provide a reminder to activists about where to put their energies. Some activists put a lot of energy into lobbying, fighting court cases, or campaigning in elections. If it is highly unlikely that these channels on their own will achieve significant change, then perhaps these activities need to be scrutinized more closely. Victories are possible, but are they worth the effort required?

**POINT 4: USE THE STRATEGY OF MOBILIZATION**

If formal channels are ineffective for whistleblowers, what is the alternative? One strategy is based on “mobilization,” namely, winning supporters by circulating relevant documents, holding meetings, and obtaining media coverage.
My assessment of many whistleblowing cases is that there are two things that are most helpful to whistleblowers: contacting other whistleblowers and obtaining publicity. Because many whistleblowers are individuals acting in isolation, they sometimes blame themselves and even come to believe that the attacks on them have some justification. Often they are not aware that the problems they encounter also happen to all sorts of other people. By meeting others who have been through similar experiences, they realize they are not alone. This can be enormously empowering even when their personal situation is not changed. In many cases others with experience can also provide advice that helps whistleblowers in a practical sense.

Publicity is the second powerful support for whistleblowers. As long as the whistleblower pursues justice through formal channels, organizational elites have an enormous advantage. They have higher status, far more resources (for example to engage legal professionals), and contacts with other elites. This is precisely why lone whistleblowers usually find formal channels so useless. The people who are being appealed to are either the perpetrators themselves or those who have stronger links to them than to the complainant. Furthermore, organizational elites usually have much more control over the process of appeal. The media, in this context, can be a powerful tool for whistleblowers. Media coverage alerts a cross-section of the population to the dispute in a way that is not controlled by organizational elites. Media coverage reaches many who are not subject to control by elites. If the whistleblower is pursuing a just and worthy cause, this often comes through in the coverage. Likewise, if organizational elites have been taking punitive action against the whistleblower, this often comes out and, indeed, may be the main point of the coverage.

Whistleblowing is a good topic for the media because it frequently fits with dominant news values. It deals with personalities and with conflict, key news values, and sometimes with misdeeds by powerful people or organizations. Sometimes local media have ties to the organizations in question, but it still may be possible to obtain coverage through nonlocal media.

Many of the successes of whistleblowers can be attributed to media coverage. Sometimes this can be integrated with the use of formal channels: a court appeal, for example, can be the basis for a story. News coverage of problems raised by dissident employees is detested by organizational elites.

Although media coverage can be very helpful to whistleblowers, the media are not automatic allies. Often there are difficulties in gaining coverage because cases are too old, too complicated, or threaten the interests of advertisers or the media themselves. In some cases, media outlets ruthlessly attack whistleblowers, out of hostility or just in the search for a “good story.”
Nevertheless, media coverage is more likely to be a source of support for whistleblowers than official channels.

As well as getting coverage in the mass media, there are other ways to obtain publicity. They include getting a few trusted supporters to write letters, producing a leaflet for distribution to other workers, posting messages on email, holding meetings, and having supporters attend formal hearings. A range of additional symbolic actions can also be used. None of these techniques is likely to be new to an experienced nonviolent activist. Indeed, an experienced activist should be able to go into virtually any organization—from a cancer support group to a major computer company—investigate, and come up with a strategy for change. In doing this, inside dissidents would be key allies.

In practice, there are not many cases where this happens. All sorts of nonviolent action take place inside organizations, to be sure, and there are many who take the problem of organizational change extremely seriously.12 But this is not a major preoccupation of the organized movements promoting and using nonviolent action. In environmental groups that take up direct action, for example, the emphasis is on actions in the public arena, such as rallies to stop freeways or nonviolent occupations to stop logging. The aim is to take action in a public arena—where all group members can participate, if they so choose—in an attempt to influence organizations from the outside. By contrast, there are not many environmental groups that set out to challenge the internal workings of organizations by developing a comprehensive campaign. Why not? One reason may be that public arenas are seen as the appropriate places for social action, whereas the internal operations of organizations are seen as off-limits in some sense. Another reason may be that the organization is seen as the opponent, not as a site for struggle itself. Another may be that activists accept the common belief that political elites make the ultimate decisions, so that actions should be oriented to the political sphere. Finally, campaigning inside organizations may seem like a low-return approach. That may be so, but that might be due to a lack of experience in developing better strategies.

POINT 5: WHISTLEBLOWERS SELDOM BRING ABOUT CHANGE

Whistleblowers typically are attacked personally and often have their careers destroyed. The more successful whistleblowers may obtain some belated compensation, such as a monetary payoff as part of a court settlement. But has the organization changed at all? In some cases new policies are
introduced, but in others the situation is worse than before, since the harsh
treatment of whistleblowers sends a potent message to other potential dissi-
dents about what might happen to them should they rock the boat. A lone
whistleblower who is ruthlessly squashed may leave a corrupt organization
less open to change than before. Policies occasionally may change as a result
of whistleblowing, but not systems of hierarchy, division of labor, profit
motive, patriarchy, and the like.

For example, Karl Konrad was a member of the Victorian police in Mel-
bourne. He challenged the rigid police culture by speaking out about corrup-
tion in the force, most prominently about bribery involving window shutter
companies. He was shunned by fellow officers, called a “dog” (informer) over
the public address system in one station, cautioned over trivial matters, fined,
and eventually dismissed. Konrad was far more effective than most police
whistleblowers, especially in generating public awareness of police corrup-
tion, but in the end the Victorian police force remained essentially
unchanged. No corrupt police were disciplined; only Konrad lost his job.13

Few whistleblowers set out from the beginning to change structures.
They speak out to deal with a particular problem within the existing struc-
tures. For the same reason, they typically pursue their cases through formal
channels. It is only by making a social analysis of the roots of social problems
that the idea of changing structures can even arise.

Nonviolent activists come with a variety of perspectives on their goals.
Some of them, such as those who mobilize against siting a facility in their
neighborhood, want only to change particular policies or practices, not any-
thing wider. But many activists have a wider perspective and more ambitious
goals: socialists seek a world without capitalism; pacifists seek a world with-
out war; feminists seek a world without patriarchy. Their goal is fundamental
social change, and so they must think through what is required to bring
about such change.

FUTURE DIRECTIONS

Whistleblowers have a lot to learn from nonviolent activists, such as how to
build support, organize campaigns, and carry out actions. On the other hand,
there are a few things that nonviolent activists can learn from the experiences
of whistleblowers. One important lesson is that action is necessary inside
organizations as well as outside them.

Bureaucracies are commonly seen as purely administrative systems, but
another perspective is that they are similar to authoritarian political sys-
tems.14 For example, managers are not elected, and there is no free press. If
bureaucracies are political systems, then mobilization of support, struggles between opposing factions, and even coups are to be expected inside organizations. A lone whistleblower is then essentially a one-person opposition movement, who hence has little chance of success. This suggests that greater success could be obtained if nonviolent activists applied the skills they regularly use in the more overtly political sphere to the challenging arenas of organizational politics.\textsuperscript{15}

There is little written by or about nonviolent action groups that work for organizational change, either groups of employees or groups on the outside working in alliance with dissident employees. Any such endeavor would need to choose methods of nonviolent action appropriate to the context. For example, in a campaign for free speech by employees, basic techniques could be used such as holding meetings, producing leaflets, and wearing symbols of resistance. Such methods are routine and seldom controversial in a public setting, but in many organizations are considered highly subversive, so care is needed when using them. Nonviolent activists working to transform bureaucracies should not assume that methods like rallies and fasts that are often used effectively in public campaigns can be organized with the same ease or effectiveness inside organizations. A vital part of the process is gaining an understanding of the dynamics of the particular organization being challenged. For this, sympathetic employees, including whistleblowers, are essential allies in the struggle.

NOTES


3. One relevant contribution is Frederick A. Elliston, “Civil disobedience and whistleblowing: A comparative appraisal of two forms of dissent,” Journal of Business Ethics 1 (1982), 23–28, which focuses on ethical issues rather than the pragmatic concerns dealt with in this paper.

4. This is based on two decades of research in each area. See Brian Martin, C. M. Ann Baker, Clyde Manwell, and Cedric Pugh, eds., Intellectual Suppression: Australian Case Histories, Analysis and Responses (Sydney: Angus & Robertson, 1986); Brian Martin, Suppression Stories (Wollongong: Fund for Intellectual Dissent, 1997); Brian Martin, Uprooting War (London: Freedom Press, 1984); Brian Martin, Social Defence, Social Change (London: Freedom Press, 1993).


12. Examples are initiatives for industrial democracy and workers’ control.

