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► **To cite this version:**

Mahaut Fanchini. Those who listen: On the role of external recipients in whistleblowing cases. Ephemera : Theory and Politics in Organization, 2019. hal-02529170

HAL Id: hal-02529170

<https://hal.science/hal-02529170>

Submitted on 2 Apr 2020

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1 **Those who listen: On the role of external recipients in whistleblowing cases**

2
3 Mahaut Fanchini

4
5 **abstract**

6 Although the ‘relational’ dimension of the whistleblowing process has been
7 highlighted in the existing literature, the role of ‘those who listen’ has received little
8 attention. I investigate this aspect by drawing on three qualitative narratives gathered
9 from former financial services industry employees or clients who confided that they
10 had witnessed organisational frauds, thereby aligning them with common definitions
11 of whistleblowers. This empirical article describes how, as an external recipient of the
12 whistleblowers’ narratives and a qualitative researcher, I classified two of these
13 narratives as ‘legitimate’ whistleblowing cases while dismissing the third one based
14 on criteria I will detail in this article. Reflexively elaborating on this personal
15 classification contributes to the existing literature in three ways. Firstly, it shows how
16 recipients of whistleblowing narratives are involved in framing ‘acceptable’
17 whistleblowing cases when deciding whether an individual narrative meets the
18 definition of whistleblowing. This aspect highlights the ‘unstable’ aspect of such a
19 status, which is dependent on the recipient’s personal, and potentially fluctuating,
20 opinions. Secondly, I argue that addressing an external audience may be a means for
21 whistleblowers to convey a politically troubling warning in a context where
22 whistleblowing is becoming increasingly ‘institutionalised’. I conclude by
23 highlighting the potential for a critical understanding of the concept of the ‘general
24 interest’ for future whistleblowing studies.

25
26
27 **Keywords:** Case study, reflexive paper, whistleblowing

28

29 **Introduction**

30 What matters about whistleblowers [is] not that we should respond to them in a particular way but that
31 they compel such serious attention, forcing us, as we respond, to confront some of our most
32 fundamental ethical assumptions. (Sophocles and Brown, 1987: 10, cited in Contu, 2014: 403)

33
34 Edward Snowden, Chelsea Manning, and Herve Falciani – all three have been
35 highlighted by the media under the epithet of ‘whistleblowers’, i.e., ‘organization
36 members (former or current) who disclose illegal, immoral, or illegitimate practices
37 under the control of their employers, to persons or organizations that may be able to
38 effect action’ (Miceli et al., 2008). These specific cases have been turned into high-
39 profile stories, but other cases of similar importance have remained in the shadows:
40 why are some cases of whistleblowing picked up by the media, brought to the public’s
41 awareness as organisational wrongdoings, and turned into international ‘scandals’,
42 while other stories remain largely unknown?

43
44 To address this question, we could suggest that whistleblowers can be seen as
45 ‘players’ (Ocasio, 1997) who make a ‘bet’ that what strikes them as a moral dilemma
46 is likely to be shared and adopted by others (Alford, 2007; Lindblom, 2007). In this
47 article, I am precisely interested in these ‘others’ and I therefore focus on the role of
48 whistleblowers’ interlocutors, i.e. the ‘bystanders’ (Contu, 2014) who are defined by
49 their act of ‘listening’ to whistleblowers. As Contu puts it:

50
51 Whistle-blowing is never only about ‘them’, the whistleblowers. Instead, it is relational and quite
52 obviously is about those witnessing whistleblowing and their responses to what they see and feel.
53 (2014: 402)

54
55 Some of these respondents may be internal to the organisation (colleagues, managers,
56 HR, trade unions, etc) while others may be external (media representatives, lawyers,
57 NGOs, researchers, etc.). For the purpose of this research, I focus specifically on the
58 role of the researcher as an external recipient of whistleblowers’ narratives. I question
59 the extent to which the outcome of the whistleblowing process depends not only on
60 the ability of the speaker to be *convincing* but also, and more importantly, on the
61 conditions under which the speaker can be *listened to*, *heard* and *enabled* to access the
62 status of ‘legitimate whistleblower’ in the context of the research relationship. I argue
63 that the researcher’s a priori expectations of what, in his or her opinion, ‘true’
64 whistleblowing cases are or should be, are likely to frame further ‘acceptable’
65 whistleblowing discourse. In this paper, I investigate and discuss the criteria that led
66 me to label two narratives as ‘whistleblowing cases’ while dismissing the third one.

67
68 In order to address this question, I present three narratives from the French banking
69 industry from 1998 to 2013 that I gathered as part of my doctoral dissertation. In these
70 specific cases, the individuals I met were looking to attract external attention, from the
71 media or from anyone ready to listen to them. They may have firstly tried to resolve
72 the malpractice internally, but when I met them, they had shifted their focus to an
73 external audience. One of the narratives I present (Stacie’s narrative – 1) has had a
74 huge media impact in France, with the bank awaiting a trial judgment for ‘tax evasion’
75 and facing a significant multi-million euro fine. Conversely, the two other cases I
76 present went relatively unnoticed. In one of these cases, the interviewee is currently
77 gathering data in an attempt to obtain a European court order (Robert’s narrative – 2);
78 while in the other case, the third narrative (Isabel), the employee has been dismissed
79 without managing to change the rules she denounced.

80

81 This empirical article reflexively recounts how, having met and interviewed the three
82 people promoting their cases, I had no doubts about classifying Stacie's narrative as a
83 whistleblowing case. Conversely, Robert's narrative was dismissed, while Isabel's
84 narrative was finally, after argumentation, qualified as a whistleblowing case. All of
85 these cases would fit the common definition of 'a whistleblowing case' (Miceli et al.,
86 2008).

87

88 Reflecting on this experience, I seek to identify the kind of criteria that led to these
89 choices. I argue that the researcher, as an external recipient of the whistleblower's
90 narratives and through his/her choices, contributes to framing 'acceptable'
91 whistleblowing cases. I believe this discussion is especially important since the
92 presence, effect or role of the researcher is commonly 'downplayed' (Gilmore and
93 Kenny, 2015) in organisational ethnographies, including studies on whistleblowing,
94 with the silent assumption that the researcher's presence is neutral and has no impact
95 on the topic s/he studies or on 'the themes, categories and frames by which the people
96 studied come to be represented' (Gilmore and Kenny, 2015; Van Maanen, 1988,
97 1995). As Kenny and Gilmore (2015: 69) note with reference to Yanow (2009):
98 'Methodological and writing conventions require that academics deny or at least
99 minimise their reported impact on the phenomenon being studied'. Adopting the
100 opposite point of view, this article shows how, as a researcher working on qualitative
101 narratives, I in fact helped to legitimise some narratives as whistleblowing cases.

102

103 In my experience, different dimensions came into play when deciding whether to grant
104 the three narratives the status of 'whistleblowing cases': *media interest*, *validation*
105 from the legal authorities, the *promptness with which the narrators identified*
106 *themselves as whistleblowers* and my *personal agenda* as a PhD student, which may
107 have increased the likelihood that I would qualify the narrative as a whistleblowing
108 case. However, most important of all, and in spite of some congruent early mentioned
109 criteria, the opinion the narrative would actually defend the *general interest* as I
110 conceive it appeared as a decisive criteria, that would in particular lead me to
111 reconsider the third narrative as an actual whistleblowing case, even 'ambiguous',
112 showing that some criteria weight more impact than others.

113

114 Three contributions can be discussed based on these insights, that add to the existing
115 approach on whistleblowing as a mediated and culturally shaped practice (Heinrichs et
116 al., 2018). First of all, these insights highlight how the researcher, as an extra-
117 organisational recipient of the whistleblower's narrative, plays a role in giving the
118 dismissed organisational member an opportunity to re-realize him/herself as a
119 legitimate speaker, a person who tells the truth or a parrhesiast (Kenny and Portfliet,
120 2016; Weiskopf and Tobias-Miersch, 2016). Secondly, I argue that, while internal
121 whistleblowing is becoming more and more an 'institutionalised' organisational
122 critique (Vandekerckhove and Langenberg, 2012), external recipients, here in the form
123 of the researcher, can help whistleblowers in terms of claiming or conveying the
124 political charge of the whistleblowing process, unmediated by internal organisational
125 devices. However, in order to be listened to and 'bought' by the audience, the political
126 charge of the attempted whistleblowing must be aligned with the recipient's a priori
127 expectations. The third contribution of this paper is therefore to highlight the critical
128 importance of the concept of the 'general interest' in the context of whistleblowing

129 studies in order to better understand how problematic political issues can be raised and
130 turned into actual whistleblowing cases.

131

132 This article is organised as follows: in the next section, I give a brief overview of how
133 the question of whistleblower ‘respondents’ has been dealt with in the literature. I then
134 develop the methodology and present the narratives. Finally, I discuss the insights
135 gained during the study and their implications.

136

137 **The role of the extra–organisational respondents in whistleblowing studies: a** 138 **blind spot?**

139 The whistleblower literature has long been shaped with ambivalence (Contu, 2014)
140 towards whistleblowing, seeking to explore who blows the whistle (Miceli et al.,
141 1991; McCutcheon, 2000; Dyck et al., 2010), and how the decision to do so is taken
142 (Dozier and Miceli, 1985; Gundlach et al., 2003), from an empiricist, instrumental and
143 ‘explanatory’ (Contu, 2014), or even ‘profiling’, perspective (Kenny et al., 2018). The
144 whistleblower ‘disturbs’ and the question of the ‘recipient’ is one of the three core
145 ‘disputes’ in the literature (the others being whether the whistleblower’s motivations
146 should be virtuous and what is permitted/not permitted in terms of disclosure) (Jubb,
147 1999).

148

149 Some authors have observed that the interlocutors, whether an ombudsperson or a
150 technological disclosure device, can be internal or external to the organisation
151 (Dworkin and Baucus, 1998; Zhang et al, 2009). According to Culiberg and Mihelič
152 (2017), there is a general consensus that the wrongdoing should first be reported
153 internally. Several studies have therefore attempted to investigate the conditions
154 for ‘managerial’ or ‘organisational responsiveness’ to whistleblowers’ claims
155 (Vandekerckhove et al., 2014). For example, the possibility of offering effective
156 anonymity to employees who choose to disclose malpractices internally is
157 discussed (Vandekerckhove and Lewis, 2012). Existing works also observe that
158 whistleblowers are likely to receive different responses from different individuals
159 in the organisation (Vandekerckhove et al., 2014), ranging from ‘addressing’ the
160 malpractice to ‘retaliating’ against the whistleblower. However, they notice that
161 further ‘characteristics’ relating to the recipients, both internal and external to the
162 organisation, could be gathered (Vandekerckhove et al., 2014).

163 Whistleblowing should also be seen as a practice embedded in a wider political and
164 cultural context (Heinrichs et al., 2018; Kenny and Van Portfliet, 2016). Here, the
165 circulation of the whistleblower’s discourse in the space outside the organisation and
166 the implications of this circulation are investigated, with whistleblowing being as
167 much a ‘political practice’ (Rothschild and Miethe, 1994, 1999) as an ‘organisational’
168 one. In particular, some authors discuss the idea that the whistleblower could be seen
169 as a ‘truth–teller’ (Mansbach, 2009; Munro, 2016; Weiskopf and Tobias–Miersch,
170 2016; Willmott and Weiskopf, 2013). Most of these works are based on the Ancient
171 Greek concept of *parrêsia*, as developed by Michel Foucault (Foucault, 1983, 1984),
172 which qualifies a modality of discourse in the context of asymmetrical power relations
173 (Weiskopf and Tobias–Miersch, 2016). Being a parrhesiast involves a certain amount
174 of courage, that of speaking truth to power, a quality that is often used to describe
175 whistleblowers (Munro, 2016). When viewed as a ‘critical practice’, whistleblowing
176 can also be seen as a renewed form of resistance to power within and outside
177 organisations (Rothschild and Miethe, 1994). Debates about forms of resistance have
178 opposed micro–practices of resistance (Ackroyd and Thompson, 1999; Thomas and

179 Davies, 2005) with collective strategies (Jermier et al., 1994; O’Doherty and Willmott,
180 2001). Some scholars have regretted that resistance at work expressed as forms of
181 cynicism or humour could amount to mere ‘decaf resistance’ (Contu, 2008), in other
182 words resistance ‘which changes very little’. Contu challenges this ‘micro’ view of
183 resistance, using whistleblowing as an example of ‘real resistance’:

184
185 A real act of resistance is exactly an act of the impossible. This is because it cannot be accounted for
186 and presupposed in and by the Law and its obscene undergrowth; as such, it is an impossible act.
187 (2008: 370)

188
189 However, the qualification of truth-teller, or the act of speaking truth to power, goes
190 beyond the sole subjectivity of the speaker, and needs to be understood ‘as formed and
191 shaped, yet not determined, by the discursive context in which it emerges’ (Weiskopf
192 and Tobias–Miersch, 2016: 1622). The whistleblower is not a pre-existing entity but
193 rather emerges through the practice of speaking out (Weiskopf and Willmott, 2013).
194 Here it is important to stress the key ‘relational’ aspect of the process as well as ‘the
195 importance of the reactions of those who hear’ (Contu, 2014: 1). In particular, those
196 who listen are said to be more ‘powerful’ than those who speak, with speakers putting
197 themselves in risky positions.

198 Yet, what it means to ‘listen to the whistleblowers’, the extent to which recipients’
199 political expectations count, or the kind of ‘power’ recipients have over potential
200 whistleblowers (Contu, 2014) remains unexplored per se – an avenue that I investigate
201 in this article by recalling my own experience as the recipient of whistleblower
202 narratives.

203
204

205 **A reflexive researcher’s account of gathering whistleblower narratives**

206 This article’s research question emerged from my fieldwork. Over my five years of
207 investigating whistleblowing (as part of a doctoral dissertation) I received several
208 messages from anonymous correspondents, who wrote to my professional email
209 address, explaining that they were ‘whistleblowers’ and that they wanted to meet to
210 tell their stories. In 2015, while I was attending a conference in Paris about the
211 protection of whistleblowers, a man (I will call him Robert) approached me with the
212 following statement, ‘If you are interested in whistleblowers’ stories we should meet,
213 because I am a whistleblower myself.’ We met shortly after and I listened to him for
214 two-and-a-half hours. I started to experience a *feeling of doubt* after about twenty
215 minutes, ‘Was he a whistleblower? Or was he someone who had set up a complex real
216 estate loan with his bank and was now having trouble meeting the repayments? How
217 to distinguish between these options? Should I judge?’

218
219 I present below an overview of three specific narratives related to whistleblowing
220 (including Robert’s) as well as the methodology I used to analyse them. To clarify the
221 analysis, I use the word ‘narrative’ when discussing the story told by the interviewee.
222 The question here is whether, and under which conditions, to classify the narrative as
223 a ‘whistleblowing case’.

224
225

225 *Data selection*

226 Identifying ‘whistleblowers’ who would be likely to answer my questions was part of
227 a broader project (my doctoral dissertation). To do this, I adopted various different
228 approaches. I identified a number of people who had been named as ‘whistleblowers’
229 in the main national newspapers in France, such as *Le Monde*, *Le Figaro* and

230 *Liberation* (Stacie’s narrative (1), in particular). In the narratives I present, the
 231 employee denounced unethical or illegal organisational practices in the financial
 232 services sector.

233
 234 Stacie put me in touch with Isabel. Robert approached us spontaneously at a meeting
 235 about the protection of whistleblowers. He presented himself as a whistleblower and
 236 we met so that he could tell his story. I provide a summary of the three narratives
 237 examined in Table 1 below. I immediately had no doubt that Narrative 1 (Stacie) was
 238 a whistleblowing case; Narrative 2 (Robert) was dismissed; and Narrative 3 (Isabel)
 239 was deemed a whistleblowing case after discussion.

240
 241

Table 1. Summary of the narratives.

	Nature of the organisational practices unveiled	Status as a whistleblowing case
Narrative 1 (Stacie)	Tax evasion system	Accepted
Narrative 2 (Robert)	Fraudulent loan	Dismissed
Narrative 3 (Isabel)	Systematic undervaluation of financial risks	Discussed and accepted

242
 243 Before meeting each person, I gathered secondary data when available (mostly press
 244 releases and newspaper articles, based on a Factiva search that generated a corpus of
 245 129 newspaper documents) relating to the episodes. I asked the interviewees to tell me
 246 about their professional and personal lives, using temporal bracketing to structure the
 247 interviews (Langley, 1999). I was looking for an extended vision of their personal
 248 paths (Essers, 2009). Interviews were non-directive, following a chronological path,
 249 and I aimed to let interviewees tell their stories freely, expressing ambiguities on their
 250 own. Questions were mostly kept open, which allowed me to react to the interviewees’
 251 responses. Isabel (Narrative 3) also handed me over a file with documents she had
 252 gathered about her story. She printed all of the emails she had exchanged with her
 253 superior during the time she sought to blow the whistle in her bank and handed me a
 254 copy.

255
 256 A few elements from the interviews were kept off the record, as requested by the
 257 interviewees (mostly names of colleagues and superiors). The interviews were fully
 258 recorded, transcribed and anonymised. The interviews were conducted in French; the
 259 verbatim statements presented in this article have therefore been translated into
 260 English.

261

Collection of narratives

262 The section below presents three narratives: I immediately labelled Stacie’s narrative
 263 as a whistleblowing case, I dismissed Robert’s narrative the label of ‘whistleblower’
 264 and I qualified Isabel’s narrative as such after close discussion.
 265

266

267 1. Stacie – In 1999 Stacie was hired as head of Marketing and Communication in Paris
268 for the French subsidiary of a Swiss bank. Her mission was to help open local offices
269 in Lyon, Marseille, Bordeaux, Toulouse, etc. so that the bank could offer services to
270 wealthy French prospects. In summer 2007, a tax fraud scandal broke in the United
271 States when an American banker from the bank’s American subsidiary revealed how
272 the bank had set up a vast system of fiscal fraud by helping American tax evaders to
273 move undeclared income offshore to Switzerland. A few internal press releases were
274 circulated in the French subsidiary to reassure employees about the integrity of their
275 local branch.

276

277 On Wednesday 25 June 2008, Stacie’s boss showed up in her office and ordered her to
278 ‘delete all of the computer content’ she had been working on for nine years. These
279 documents, such as invitations to events, photographs and sales bills could have been
280 used to probe the joint presence of Swiss bankers, French bankers and wealthy French
281 clients of the bank. Such joint presence is controversial, since Swiss bankers are likely
282 to ‘suggest’ that clients move their assets offshore. Not quite sure that she had fully
283 understood the order, and afraid that she might be accused of destroying evidence,
284 Stacie disobeyed and pretended to erase the documents while actually making a copy
285 of them.

286

287 From that day on, she progressively started having doubts and tried to gather
288 information about what was going on in the bank. She wrote several emails to the
289 CEO of the bank to question him, alerted health and safety committees about stress
290 and employee turnover, and gathered testimonies from former employees. In
291 December 2008, she began to think that there might be a tax evasion system within the
292 bank. One year later, she filed a complaint in court for ‘organised perpetration of tax
293 fraud’. She was suspended from her position in January 2012 and eventually resigned.
294 In June 2012, two French investigating magistrates opened a formal judicial
295 investigation. The bank has been convicted of ‘illicit prospecting activities’ and ‘tax
296 evasion laundering’ and now risks a record €4.88 billion fine.

297

298 2. Robert – Robert is a French audit and accountancy consultant. In 1998, during one
299 of his missions, he met a Swiss land developer who offered him the opportunity to buy
300 an apartment off-plan in a Swiss chalet. The land developer’s bank would finance up
301 to 75% of the transaction. There were two specific contractual clauses that Robert
302 understood and agreed with. First of all, foreign guarantees were prohibited: the bank
303 required Swiss assets as a guarantee. Secondly, if Robert had trouble repaying the
304 loan, the bank would sell the apartment at auction. Robert reimbursed the loan for
305 seven years before running into problems with his repayments. He then had to sell the
306 apartment, as explained in the contract. The apartment was sold at auction for one
307 quarter of its initial value. The buyer of the apartment was the bank, which then also
308 sued Robert for the money he still had to pay due to the initial loss in value of the
309 apartment. The bank finally resold the apartment at a price near to its initial
310 evaluation. At the time I met Robert, he was gathering documents to sue the bank at
311 the European Court of Human Rights.

312

313 3. Isabel – Isabel worked as a risk analyst in a national French bank. She was in
314 charge of evaluating the bank’s ‘counterparties’, in other words the firms to which the
315 bank loaned money, using financial documents such as balance sheets, statements of

316 profit and loss, and so on. If the loans are higher risk, the rating, or grade, should be
317 lower. European regulations also exist regarding these grades, meaning that a bank
318 cannot loan money to a firm whose grade is too low.

319
320 Isabel had worked at the bank for 15 years when a new manager arrived. Their risk
321 appreciations begin to diverge when her manager appeared to systematically write up
322 the grade of clients evaluated by Isabel. This created difficulties between Isabel and
323 her manager. The manager accused Isabel of ‘not favouring the commercial interests
324 of the bank’, while Isabel judged that such behaviour went against the fundamental
325 role of a Risk Analyst, and that they were putting ‘the bank at risk’.

326
327 This conflict gradually escalated: Isabel’s personal evaluation was downgraded and
328 her bonuses suppressed. Isabel wrote several emails to her managers and the General
329 Manager of the bank, as well as to HR, to set out her views. She was finally dismissed
330 for ‘professional misconduct’ on the basis that she could no longer work with her
331 manager.

332
333 Isabel sued the bank for ‘unfair dismissal’ and for ‘corruption and attempted
334 corruption’. She explained that she was explicitly asked to align her behaviour to that
335 of her manager or face losing her bonus – a threat she qualifies as ‘corruption’. The
336 French authorities have conducted no investigation to date. Isabel has not yet been
337 able to find a new job.

338

339 *Data analysis*

340 I started the analysis by identifying key ideas that would address the following
341 question: ‘Why did I immediately feel able to deem Stacie’s narrative as a
342 whistleblowing case but uncomfortable qualifying Robert’s narrative as
343 whistleblowing?’ To address this question, I read the transcripts many times, in order
344 to immerse myself in the material. I also reread the field notes I had made during the
345 PhD fieldwork period, trying to recall the emotions I had felt at the time. I attempted
346 to identify features that helped to ‘sell’ the story to me. For example, when identifying
347 the potential importance of the ‘legal authorities’ interest’ in the case as a criterion for
348 classifying a narrative as a whistleblowing case, I attempted to determine whether
349 narratives two and three had been considered for police investigations, like the first
350 narrative. For the other criteria, I searched for similarities and differences between the
351 cases. Since this research is based on three narratives, the insights are interpretative
352 propositions of how the researcher, as an external recipient to whistleblowers’
353 narratives, chooses to acknowledge one story while dismissing another as not being a
354 ‘true’ case. As with all interpretive research, however, other researchers might draw
355 somewhat different conclusions from the empirical material I analysed (Frost et al.,
356 2014)

357

358 **Findings**

359 Stacie’s narrative aroused no doubts: I *immediately* labelled it as a convincing
360 whistleblowing case. Robert’s and Isabel’s narratives aroused suspicion: were they
361 *really actual* whistleblowing cases?

362 The sections below reflexively expose the criteria that led me to label Stacie’s and
363 Isabel’s narratives as whistleblowing cases while ultimately dismissing Robert’s
364 narrative. Reflexively, I believe different dimensions played a part in assessing the
365 narratives, namely the legitimisation from other sources, the promptness with which

366 the narrators identified themselves as whistleblowers and my personal agenda as a
367 PhD student. Most important of all, and in spite of some congruent early mentioned
368 criteria, the opinion the narrative would actually defend the general interest as I
369 conceive it appeared as a decisive criteria, that would in particular lead me to
370 reconsider Isabel's narrative, even 'ambiguous', as an actual whistleblowing case.

371

372 *The importance of legitimisation from other sources*

373 The first dimension that emerged from this experience is the fact that, as a researcher
374 looking for 'whistleblowing cases', I was likely to label as 'whistleblowing cases'
375 narratives that had previously been qualified as such by other sources, such as the
376 media and the legal authorities. Stacie's case was highly mediatised in the economic
377 news sections of French daily newspapers, an aspect I was aware of when I met
378 Stacie. When I first met her, her mobile phone buzzed continuously during our
379 meeting. She mentioned that three TV programmes had invited her to tell her story:
380 'Look, this is Bloomberg calling me', 'I'm very, very, nervous because I will be live
381 on Swiss television next Thursday, and as you can imagine, I do not expect the
382 interview to go smoothly', 'I also have a talk to prepare for an event that is being
383 thrown to support me.'

384

385 Stacie also published a 'tell-all' book about her spectacular experience. The book,
386 which has been evoked in many investigative articles, was published by a major
387 publishing house, with a preface written by a renowned French investigative
388 journalist. Another example of this mass-mediatisation is that Stacie's story is
389 commonly referred as the 'Bank XX scandal'. The fact that the media discussed
390 Stacie's narrative strengthened my decision since I was able to read about the story
391 from different sources and triangulate the information. These aspects definitely
392 supported my instinct that I was, without a doubt, dealing with a 'real' whistleblower.

393

394 Conversely, very few articles mention Robert's or Isabel's narratives. The fact that
395 virtually no media sources referred to these narratives led me to think twice about
396 keeping them in my data collection since, as the recipient of the stories, I alone had to
397 decide whether to 'buy' the story and include it in my data collection.

398

399 Another key aspect that may lead to the legitimisation of the narrative as a
400 whistleblower's case is the involvement of the legal authorities. In Stacie's case, the
401 legal authorities, or another important institution, have launched at least one
402 investigation. At the time I met Stacie, at least three investigations had been opened,
403 including one opened by the bank against her as a retaliation method. At the moment I
404 wrote this article, the company had being prosecuted and was facing a fine of up to
405 4.88 billion euros, the largest fine ever given to a bank in France. This would
406 definitely qualify the case as an actual 'whistleblowing' case. Neither Robert's nor
407 Isabel's story had led to an investigation being opened when I met them, in both cases
408 several years after they had started to voice their concerns.

409

410 The fact that neither Robert nor Isabel managed to attract the media's attention, nor
411 convince the legal authorities to launch an investigation based on their testimonies,
412 further calls into question the extent to which they were 'convincing whistleblowing
413 cases'. In my opinion, these factors are not, however, sufficient grounds for
414 dismissing their narratives. In the specific case of Isabel, the fact that Stacie had put
415 me in touch with her would also lead me to give extra consideration to her case,

416 mainly out of consideration for Stacie's help. This aspect shows how other
417 whistleblowers can be seen as source of authority on the topic (Kenny and Van
418 Portfliet, 2016). Nevertheless, I started to question which credit I should give to their
419 narratives, whether I should classify their stories as whistleblowing cases, and what
420 the conditions of acceptance should be. Two specific interrelated aspects came into
421 play in this discussion.

422

423 *The promptness with which narrators identified themselves as whistleblowers*

424 I met Robert because he had identified himself as a whistleblower and I was looking
425 for such cases at the time. On the other hand, I met Isabel because she had been
426 recommended by someone I had immediately qualified as a whistleblower (Stacie).
427 However, discussion of the term itself aroused doubts regarding whether to 'buy'
428 Isabel's or Robert's stories as whistleblowing cases.

429

430 Of all the whistleblowers I met for my doctoral research (seven people), Robert and
431 Isabel were the fastest to label themselves as 'whistleblowers'. They were also the
432 most comfortable with this label. Conversely, Stacie was more sceptical about the
433 term. She said, for example, that she preferred to be called an 'insider', rather than a
434 whistleblower, as if she were not at ease with the label.

435

436 Another aspect that fuelled doubts was the fact that Isabel regularly referred to
437 Stacie's case, comparing her own experience with Stacie's. Isabel, for example stated
438 that 'When I was told about Stacie's story I thought, it's like me, I'm the next one
439 [whistleblower]'. She also hinted that, [as a whistleblower], she was being contacted
440 for advice from other potential whistleblowers. In other words, Isabel was totally at
441 ease with using the word 'whistleblower' while I was increasingly doubtful and
442 perplexed about 'who was or could be a whistleblower'. I remember wondering
443 (admittedly with a touch of sarcasm) whether the less 'convincing' the interviewees'
444 cases were, the more likely they were to promptly label themselves as
445 'whistleblowers', as if to add credence to their actions. In Stacie's case, where the
446 accusations were 'immediately' credible (and astonishing), she did not 'need' to be
447 labelled as a 'whistleblower', and we did not discuss that aspect to any great extent
448 during our encounters, because what she had to tell was convincing enough to speak
449 for itself.

450

451 In Robert's case, when he discussed the practices he was trying to unveil, I felt his
452 discourse was not clear. I had trouble understanding exactly what the fraud related to
453 and started to think that he may have taken a risky bet, perhaps in a legal grey zone,
454 and that he had lost. Furthermore, his story was more than fifteen years old, which
455 failed to attract my interest. More importantly, the 'public interest' argument, whose
456 importance I discuss below, was hardly put forward.

457

458 *The personal agenda of the recipient*

459 According to the European Council, 'any person who reports within an organisation or
460 to an outside authority or discloses to the general public information on a threat or
461 harm to the public interest in the context of their work based relationship, whether in
462 the public or private sector' can be defined as a whistleblower (European Parliament,
463 2018). Robert and Isabel would both fit the common extended definition of a
464 whistleblower, even if Robert was 'just' a client of the bank. Why, then, did I dismiss
465 their stories as whistleblowing cases? As a PhD student at the time, I was looking for

466 more cases in order to meet the standards of case analysis research (Eisenhardt, 1989).
467 I also felt that I was not *legitimate* to (dis)credit who was or was not eligible to qualify
468 him/herself as a whistleblower. This situation left me with the uncomfortable feeling
469 of having to qualify someone's painful narrative for instrumental purposes.

470
471 The ambiguity I felt towards Robert's narrative led me to question the other stories, in
472 particular that of Isabel. In this case, the gravity of the fraud is not clearly presented. It
473 is hard to evaluate clearly because of its technical nature. Either the fraud is not as
474 serious as the others or Isabel has not succeeded in bringing it to public attention. It is
475 hard to classify, and therefore, hard to re-explain after the interview.

476
477 Isabel's narrative had been the topic of two articles in media, one of which was the
478 online version of an important French economic newspaper. I managed to reach the
479 journalist who had written the article. On a reflexive note, I was obviously looking
480 here for other instances of 'authority' to support the legitimisation choices I had made.
481 To my surprise, the journalist was enthusiastic about Isabel's narrative, explaining the
482 'shocking' nature of the practices unveiled by Isabel. For her, there were no doubts
483 and Isabel was, in her words, 'obviously a whistleblower'.

484 I also discussed Isabel's narrative with the person responsible for a well-known
485 French NGO that promotes transparency and fights against financial abuse. As
486 opposed to the journalist, this person dismissed the case, implying that Isabel's case
487 stemmed from an 'interpersonal issue' between Isabel and her supervisor.
488 Consequently, the NGO had refused to publicly take Isabel's side.

489
490 As highlighted by Isabel's narrative, different recipients (the researcher, the journalist,
491 the NGO head, etc.) can easily express different opinions on whether the narrative is
492 or is not a whistleblowing case. The question here is the extent to which the personal
493 agenda of the recipient plays a role in framing 'legitimate' whistleblowing cases: the
494 PhD scholar looking for more cases in order to fulfil methodological requirements; the
495 financial investigative journalist in search of 'stories' to uncover; the NGO head
496 seeking to protect the reputation of his/her association and to accurately allocate
497 limited resources, and so on. I finally ended up 'keeping' Isabel's narrative in my data
498 collection, as another important dimension came into play.

499
500 *(Re)considering narratives through the 'general interest' lens*
501 After the two discussions I had with the journalist and the NGO manager about
502 Isabel's narrative, I gave hard thought to her narrative, trying to understand what
503 Isabel was trying to unveil when 'blowing the whistle'. I also made that effort because
504 I could see that she was deeply and honestly convinced about the fact that she was
505 denouncing something important – the 'systematic under-evaluation of risks' could
506 jeopardise the bank's financial health and ultimately, in principal, the national banking
507 system. While searching for more information, I recontextualised her experience into
508 the broader picture of 'banks too big to fail', an idiom that describes the belief that, in
509 financial crises, national governments or the European Union are likely to prevent
510 national banks, such as Isabel's, from going bankrupt, due to the large number of
511 savers (individuals and businesses) that would be harmed as a result of their bank's
512 failure.

513
514 Taken in the context of a 'broader picture' of 'banks too big to fail' (Morgenson,
515 2016), I was convinced that Isabel was trying to defend a cause she would call the

516 'general interest'. Based on this argument, and sharing her concern, I decided to keep
517 the case in my data collection. As a reflexive note, I observe that the issue of banks
518 being 'too big to fail' was also an issue I would be worried about. This personal
519 standpoint informed me to 'keep' the case in the data collection and therefore, to give
520 Isabel's narrative the status of 'whistleblowing's case'. This last argument also led me
521 to dismiss Robert's narrative as I did not deem that the issue affected the 'general
522 interest', as I personally conceive the notion. I develop below how the concept of
523 'general interest' appears as a critical, constructed category, to be further discussed in
524 whistleblowing debates, for better understanding the conditions under which a
525 recipient will label someone's narrative as valid whistleblower's case.

526

527 **Discussion**

528 This account of an empirical research experience reveals insights that contribute to the
529 existing literature by investigating the relationship between whistleblowers and their
530 extra-organisational recipients; in the present context, the researcher who listened to
531 the whistleblower's story. I discuss three contributions. First of all, these insights
532 question the extent to which some external recipients can contribute to a re-realisation
533 of the whistleblower as a viable speaker within the public space. Secondly, these
534 external recipients, such as the researcher, can offer the whistleblower a way to
535 convey an effective political warning about a disturbing issue, in a context where
536 whistleblowing is increasingly mediated through organisational devices. However,
537 access to the status of 'whistleblower' depends on 'criteria' of acceptance that belong
538 to the recipient and on which the whistleblower has little impact. These criteria may
539 also evolve over time, signalling how 'unstable' the whistleblower's status is. I
540 therefore underline the critical importance of the concept of the 'general interest' for
541 future whistleblowing studies.

542

543 *External whistleblowing as a re-realisation of the subject*

544 Whistleblowers often face tremendous experiences and most of them face retaliation
545 in their professional context (Cortina and Magley, 2003). They experience censorship
546 and exclusion. Most whistleblowers are de-realised when telling their story and
547 denied the status of viable organisational subjects for telling an 'impossible' truth
548 within organisational norms (Kenny, 2018). In cases 1 and 3 of this study, both Stacie
549 and Isabel were made redundant in 'brutal' conditions, after experiencing – for Stacie
550 especially – years of moral harassment due to the claims she made. When employees
551 continue to blow the whistle outside of the organisation, they are likely to be in search
552 of moral and identity 'repair' (Mansbach, 2009). The first contribution of this
553 empirical research is to show how non-organisational recipients, such as the
554 researcher, can give (or deny) former organisational subjects the opportunity to re-
555 realise themselves as they ultimately have the power to give (or prevent) them the
556 access to the status of 'whistleblower', i.e. a legitimate status as a social subject.
557 When recipients are convinced by the whistle-blower's story, the whistleblower is
558 able to access recognition, not only as subject, but also as intelligible speaker in the
559 public space. Their story is deemed valuable, with the whistleblower ultimately being
560 compared to a parrhesiast (Weiskopf and Tobias-Miersch, 2016), in other words a
561 courageous character who dares to speak the truth to those in power or a truth-teller
562 (Willmott and Weiskopf, 2013).

563

564 The very act of sharing allegations with external recipients allows the subject to
565 escape organisational 'walls' and thus norms. Interestingly, one could argue here that

566 the subject being un–realised by organisational norms (Kenny, 2018), while re–
567 realised by social and ethical norms, produces a shift in the dominant norms of
568 reference: the organisational subject is constituted by adopting and abiding by the
569 dominant organisational norms, therefore confirming dominant discourses as being
570 valid and important in the organisational context. The whistleblower is formed by
571 being recognised by external organisational instances, such as the legal authorities, the
572 media, NGOs, members of the academic community acting as a knowledge space, or
573 public society. As Kenny (2018: 1042) notes, ‘these dynamics involved chaotic
574 reconstructions of subject positions in relation to shifting boundaries that delineated
575 valid subjecthood, along with an active reproduction of these boundaries’. The
576 whistleblower becomes a public subject, a change that can conflict with his/her former
577 organisational identity or been appraised as a disavowal. In embracing a position of
578 public locutor, the whistleblower takes part in diminishing the power of organisational
579 norms to produce valid subjects and discourses and reinforces the power of alternative
580 bodies, such as the media or the legal authorities. It diminishes the prevalence of
581 organisational structures to produce valid subjective beings. In other words, when
582 subjects endorse the whistleblower’s role, even against their will, they take part in
583 mitigating the social lure and importance of the organisational social status. As former
584 employees, the existence of whistleblowers expresses the need for ‘ethical’ subjects,
585 in a context of pervasive managerial hegemony (Spicer and Boehm, 2007).

586

587 *External recipients as potential allies for ‘caffeinated’ whistleblowing*

588 Whistleblowing has been compared to ‘caffeinated resistance’, in other words a kind
589 of resistance that changes ‘something’, as opposed to ‘decaf resistance’ or microforms
590 of resistance that change ‘very little’ (Contu, 2008). In this perspective,
591 whistleblowing must be understood as a disruptive practice, the kind that breaks
592 through a moral status quo. However, some authors have recently noticed how
593 whistleblowing is becoming an increasingly ‘institutionalised’ practice, namely a
594 practice that is mediated through different organisational devices (Vandekerckhove
595 and Langenberg, 2012; Vandekerckhove and Tsahuridu, 2010; Weiskopf and Tobias–
596 Miersch, 2016). Such institutionalisation leads to frame in advance the kind of
597 whistleblowing that is accepted and legitimate, while possibly limiting the range of
598 possibilities or prescribing the kind of practices that can be unveiled (Teo and
599 Caspersz, 2011). In the first case, Stacie had sought to address up to fourteen
600 organisational interlocutors (middle and top managers, HR, trade unions, internal
601 committees, compliance department, and so on) prior to contacting an external
602 audience, namely a lawyer. It is possible here that the institutionalisation of
603 whistleblowing may lead to ‘decaf whistleblowing’, i.e. non–critical forms of
604 whistleblowing, whereas addressing external recipients might be a way to escape this
605 institutionalisation. Speaking truth to power is an ‘interactive game’ which involves
606 risk–taking for the parrhesiast; but also the ‘courage of the listener in accepting being
607 told an uncomfortable truth’ (Weiskopf and Tobias–Miersch, 2016: 1631). Some
608 external recipients, such as NGOs, lawyers, the legal authorities or the media could be
609 seen as potential allies for ensuring that whistleblowing processes conserve their inner
610 critical and political stances, which cannot be ‘organised’ in advance by compliance
611 departments.

612

613 *‘Whistleblower’: an unstable status*

614 The asymmetrical positions of power between whistleblowers and their recipients has
615 been noted (Contu, 2014) and one could also add that access to the legitimate status of
616 ‘whistleblower’ is ‘unstable’, with it never being fully ‘attained’. As Kenny notices:

617 One comes into being as a subject only through achieving recognition in the terms of the dominant
618 discourses, albeit “that recognition can never fully be attained because of the inescapable instability
619 within the normative structures that produce us as subjects”. (Kenny, 2018: 1027)

620

621 In Case 3, the NGO manager I quote does not consider Isabel to be a whistleblower
622 and denies her the right to call herself as such. However, another instance of power
623 (the journalist) gives credit to her action, contributing, as part of the media to shaping
624 public opinion on the matter (Happer et al., 2013). Here also, I could argue that the
625 journalist, having written a press article on Isabel’s narrative, is not likely to have had
626 any ‘interest’ in refusing her the status of ‘whistleblower’. Different recipients are
627 therefore likely to have different expectations of who ‘is’ and ‘should be’ a
628 ‘whistleblower’ and these expectations can evolve over time, showing how the
629 whistleblower is constantly negotiating, through his/her dialogue, his/her legitimacy to
630 be heard. For Case 2, which I dismissed, it is possible that another researcher or
631 recipient with more time or additional investigative resources would have considered
632 Robert’s narrative to be a legitimate ‘whistleblowing case’. Further studies could
633 underline the power and responsibility recipients have over whistleblowers when they
634 listen to their narratives: researchers who decide to accept or to dismiss a case (as I
635 chose to do for Robert’s narrative); the media that highlight one story and leave
636 another one in the shadows and for what reasons, etc.

637

638 *The critical importance of the ‘general interest’ for whistleblowing debates*

639 Recalling how I classified Isabel’s story as a ‘valid’ whistleblowing case led me to
640 consider the critical importance of the concept of the ‘general interest’ for
641 whistleblowing studies. When the concept of the ‘general interest’ is stated in the
642 literature, it is to qualify the practices that can be unveiled, that can be ‘illegal,
643 immoral or illegitimate’ (Miceli et al., 2008). The whistleblowing act is partly defined
644 by this dimension, and is supposed to be performed ‘in the public interest’ (Chambers,
645 1995). However this concept is rarely defined *per se*. This lack of conceptualisation
646 leads to theoretical issues: are the ‘general interest’ and the « public good » the
647 same? Who is included (or excluded) from the « public » and the « general »?

648 Secondly, in the existing literature, it seems that the concept of ‘public interest’, when
649 it is explicitly stated, is framed through the sole perspective of the ‘motives’ of the
650 whistleblower, which should preferably be virtuous. The ‘public interest’ is therefore
651 mentioned as one of the motives in whistleblowing cases: the whistleblower either
652 acts for ‘personal motives’ or for the ‘general interest’ and mitigated options are rarely
653 adopted, such as cases where whistleblowers take advantage of revelations made in
654 the ‘public interest’ (for example Bradley Birkenfeld, in the American case for UBS:
655 as a former banker actively involved in the tax evasion system set up by his former
656 employer, Bradley Birkenfeld was jailed for 40 months; but he was also rewarded
657 \$106 million for helping the IRS to uncover the bribery – Browning, 2009).

658

659 Why do we need to define the exact concept of the ‘general interest’ with respect to
660 ‘whistleblowing episodes’? The question is crucial, in my opinion, since the ‘general
661 interest’ is a political concept, in the sense that it governs the smooth functioning of
662 the routine actions, expectations, and modus operandi that reproduce social (and
663 organisational) relations (Contu, 2014). The concept of so-called ‘general interest’
664 cannot be understood outside of structures of power that shapes and defines it. Who

665 decides what is the ‘general interest’ and how? To what extent ‘the general interest’ is
666 a shared knowledge between governments and civil societies and, by extension, to
667 other mediators of whistleblowing? So far in the existing literature, the ‘general
668 interest’ appears as a given and undisputed homogeneous concept. However, one
669 could also defend that the ‘general interest’ is a political category that is likely to be
670 historically, culturally and geographically constructed, dynamic and also subjectively
671 interpreted, as my experience as a whistle–blower’s recipient and ‘assessor’ of
672 whistle–blower’s discourses shows. Other recipients, from other cultural backgrounds,
673 or standing from other positions of power could likely assess otherwise, reflecting the
674 need for interrogating the ethico–politics of recipients and audiences in
675 whistleblowing cases (Heinrichs et al., 2018). As Heinrichs et al. (2018: 2) have
676 noted, such recipients ‘might represent sources of support for whistleblowers, but
677 might also lead to their enmeshment in dynamics of power and domination even
678 beyond the context of the organization in which they have blown the whistle’ (2018:
679 2).

680
681 As Contu recalls, although we have recently seen a ‘legitimation thesis’ where
682 whistleblowers are looked upon more empathically and less cautiously than in the
683 past, there remains a lack of conceptualisation in terms of which political practices the
684 ‘whistleblower’ is *allowed* to disturb:

685 The legitimization thesis has a silenced political undertone, which repeats a conservative stance by
686 predicating what good is ... However, given the inequalities, injustices, and waste our global system
687 perpetuates, something that is designed to perpetuate it may not be such a desirable thing after all.
688 (Contu, 2014: 401)

689
690 For example, does the act of preventing multinational companies from engaging in tax
691 evasion form part of the defence of the public interest? One could argue that
692 conflicting arguments exist on the matter, which calls into question whether tax
693 evasion whistleblowers can actually be labelled as whistleblowers. In the specific case
694 of Isabel, because I believe that banks that are considered ‘too big to fail’ are likely to
695 engage in risky management practices, I deemed her narrative to be a whistleblowing
696 case. In other words, because I believe that banks that are ‘too big to fail’ are likely to
697 harm the ‘general interest’, as I conceive it, I classified Isabel’s narrative as a
698 whistleblowing case. Investigating the local, historical and social conditions under
699 which the concept of the ‘general interest’ is constructed would be of further use for
700 whistleblowing studies, to understand more precisely the kind of practices that may
701 possibly be unveiled as whistleblowing. To understand what recipients consider to be
702 the ‘general interest’; and to underline how recipients are likely to have different
703 appraisals of what is the ‘general interest’ and therefore what can be defended in the
704 name of it, depending on contextual aspects, such as their positions of power, interests
705 or agenda would lead to a better comprehension of the kinds of discourses that can be
706 considered as viable whistleblowing’ speeches.

707 **Conclusion**

708
709 While some authors from organisation studies have called for the whistleblowing
710 process to be examined within a relational, discursive and political context (Heinrichs
711 et al., 2018), few studies to date explore the relationships between the whistleblower
712 and those who listen to his/her claims, especially recipients external to the
713 organisation (Contu, 2014; Vandekerckhove and Langenberg, 2012). This makes it
714 difficult to obtain a rich understanding of the whistleblowing process, especially the
715 way individuals raise the awareness of an extra–organisational audience on ethical

716 issues they encounter in professional contexts. Nonetheless, in this article I argue that
717 certain external recipients can play a key role in helping the whistleblower to convey
718 her/his message: first of all, individuals are re-realised as viable subjects when they
719 are recognised as whistleblowers by recipients. Being deemed a whistleblower by an
720 external audience appears to function as a kind of ‘moral repair’ when the individual
721 has been denied recognition as an organisational subject for raising uncomfortable
722 issues. Secondly, some external recipients can help (or not!) convey the political
723 charge contained in the whistleblowing process, which could not have been unveiled
724 in an organisational context where there is organisational mediation of whistleblowing
725 attempts. Lastly, as I argue, understanding external recipients’ expectations of ‘what
726 whistleblowing is’ is crucial for a better comprehension of which ethical status quo a
727 recipient of whistleblowing narratives is prepared to see ‘potentially disrupted’. In this
728 article, I analyse how the notion of ‘banks too big to fail’ was potentially harmful for
729 the ‘general interest’ as I conceive it and how this therefore has led me, as an external
730 recipient, to classify an attempt to denounce related practices as legitimate
731 ‘whistleblowing’. Would other recipients have evaluated the case differently? Future
732 research on the relational aspects of whistleblowing could consider investigating the
733 criteria for ‘legitimate’ whistleblowing from the point of view of other external
734 recipients (journalists or NGO managers, for example) i.e., critically–reflexively
735 address issues such as power and responsibility of recipients/researchers. Adopting a
736 research perspective focusing on the ‘conditions of reception’ of whistleblowing
737 narratives, as opposed to a path aiming to elaborate on the individual dimensions of
738 whistleblowing, could reinforce the political charge of whistleblowing by focusing on
739 *what can be heard* instead of who is saying it or why it is said.

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