

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

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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 *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.**

	<b>Nature of the organisational practices unveiled</b>	<b>Status as a whistleblowing case</b>
<b>Narrative 1 (Stacie)</b>	Tax evasion system	Accepted
<b>Narrative 2 (Robert)</b>	Fraudulent loan	Dismissed
<b>Narrative 3 (Isabel)</b>	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  
 263 The section below presents three narratives: I immediately labelled Stacie’s narrative  
 264 as a whistleblowing case, I dismissed Robert’s narrative the label of ‘whistleblower’  
 265 and I qualified Isabel’s narrative as such after close discussion.

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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