

Whistleblowing as Employee's Freedom of Speech

Günther Wallraff's authorship as an illustrative case

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Thematic scope

We base our understanding of whistleblowing understood as employees' freedom of speech on the corresponding definition of freedom of speech given by the Norwegian Commission on freedom of Speech (1999). We use the definition partly in order to articulate the transition in Scandinavia in the use of words to designate what whistleblowing is. The transition the two last decades goes from negative words as "leaking" and ".." to positive words; employee's freedom of speech.

This chronology of words tries apparently to capture that whistleblowing belongs to the core values of democracy. a. The search for truth as a process between fallible rational agents trying to support each other in the search for a "cleaner" truth, b. the construction of independent assumptions based on the civilizing process of higher education, and c. the open debate, often formed as a "pillory", based on free access to relevant information (Alm, Brown & Røyseng 2016)

Günther Wallraff's authorship is specifically useful as vehicle in such a discussion and interpretation of whistleblowing as employee's freedom of speech, because he was continuously able to play fictitious roles as an employee who practiced this democratic value, roles which gave him privileged access to sensitive information. Even if he came as an outsider and used fictitious identities, this type of whistleblowing practice is indisputable. The fictitious dimension in his identity meant that his co-workers and the management trusted him in ways which often gave him access to sensitive information he hadn't had the possibility to collect otherwise.

Macro change

An important presupposition for the public recognition of Wallraff's whistleblowing project might be the change caused by the fall of the Berlin -wall. The analogue view between the communist regimes in the east and the democratic regimes in the west that the counterpart was an enemy they couldn't trust implied that both parts took their precautions as an expression of mistrust. The West-German public was deeply suspicious towards the radical student-movement in the 1970-ties, from time to time accusing the young Marxist for being communistic spies who intended to undermine the German democracy. This atmosphere might have contributed to a skepticism in parts of the public life when it comes to the

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reception of Wallraff's whistleblowing-project, inspired by the radical student movement. Wallraff was accused by the Springer-system for being a spy in favor of the east-German regime. These accusations were considered untrue by the court, but serves however, as an illustrative example of the atmosphere he worked in.

But there might have been a change in the reception of his books after the fall of the wall to a more friendly, open and trustful attitude in the public life of West-Germany. To which extent the deconstruction of the enemy-relationship between east and west contributed to a more positive reception of Wallraff's whistle-blowing project is impossible to know in exact terms. But it seems highly probable that this change at the macro-level did contribute in that direction.

Sources

In the beginning of his authorship he published the book "13 unerwünschte Reportagen", (1969) where he entered several fictitious roles in order to collect and publish information which revealed circumstances at different places of work which could be an object of sharp public criticism. Later he went undercover in one of Europe's most aggressive media-organizations when it comes to publish untrue information, the German populist newspaper "Bild Zeitung". He worked as an editor in Bild Zeitung in Hanover for 3 months in order to reveal unethical journalistic methods. Books as „Der Aufmacher. Der Mann, der bei „Bild“ Hans Esser war, 1977“, „Buch Zeugen der Anklage. Die „Bild“-Beschreibung, 1979“, „Das „Bild“-Handbuch. Das Bild-Handbuch bis zum Bildausfall,1981“ is important in this context.

The book he was most famous for is probably „Ganz unten“(1985). Wallraff worked since 1983 for two years as a türkish migrant worker,“Ali Levent Sinirlioglu” at different places of work, among them in a Thyssen. The book contains stories about how damaging and terrifying it was to work in the coal dust, at that time known to cause cancer.

Wallraff might have been more occupied in the first period of his authorship than in the later with playing several fictitious roles during a short time period, in order to collect information which might have been more fragmentary. In the later part of his authorship he seems to have concentrated his efforts more around playing one single role over a longer period of time, in order to collect as much information as possible about how repressed

employees experienced the challenges at their working place.

But despite this discontinuity he continuously kept on working the same way; he blew the whistle about unethical and repressive circumstances, because he was of the opinion that it was in the interest of the public to know and discuss this information.

Roots

Wallraff himself has underscored that to use a hidden identity as the main method for collecting information was something he was seriously occupied with not only as an adult, but much earlier, in his youth. He has described himself as a rather nervous young man lacking self-confidence and existential stability. As a youth he was therefore searching for a new identity in order to conquer the problems of low self-confidence. Towards this background it shouldn't come as a surprise that he as a youth was dreaming about a new identity based on the use of masks. (Interview January 2016). We also know he did a homework on the same topic when he was at the gymnasium; how to create a new identity on the basis of the use of masks. Furthermore, in the beginning of his twenties he published modern poems about the same type of search for a new identity, probably inspired by Dadaism. There are interesting thematic lines from this artistic and identity-search towards what happened later on. When he entered fictitious roles as a migrant worker from Turkey he dreamt that he was that person. As a tentative conclusion the method of collecting and publishing information as an act of freedom of speech is to some degree based on personal presuppositions; the young man's fight for a new and more stable identity and self-confidence.

The personal motivation

The personal motivation behind the whistleblowing project could be traced back to at least four sources.

Wallraff has underscored that he enjoyed breaking taboos (interview 2016). He was fond of provocation and to experience that people he challenged was provoked. The element of self-interest is obvious, his reasons for blowing the whistle by breaking important norms was not only done out of altruistic motivation, but also on the basis of what he enjoyed himself.

On the other hand, the element of altruism comes clearly to the surface when we approach his will to sacrifice himself for the sake of the truth. Several of the fictitious roles he played out into the public sphere involved danger and risk, physical and psychic. Most famous is probably the attitude he reveals in "Ganz unten", the project where he work in the coal-

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industry conscious of how dangerous this was for his physical health. According to Wallraff, it was well-known at that time due to medical research reports that the dust in the coal industry could cause cancer. Correspondingly, Wallraff underscored recently that; "I assumed that the larger the pain was for me, the larger was the possibility that people would believe what I published was a true story". This attitude clearly signifies his will to sacrifice his physical and psychic health for what he believed in.

Another type of personal motivation comes from Marxism. In the 1970-ties and 80-ties Wallraff was apparently inspired by the radical student movement which played a significant role at the universities in Europe after the revolt in Paris in 1968. Even if he did not directly present any classical Marxist analysis of capitalism linked to a professional vocabulary on how the owners exploited their working-force, his fight for employees' freedom of speech comes close to this strategy. His categorical criticism of that the management often exploited their workers and his consequently categorical solidarity with the employees that didn't have any public voice or access to power positions is a clear parallel to the Marxist strategy of his time. The parallel is so close that we could probably talk about a Marxist inspired whistleblowing project.

The vision from his youth; to hide his identity in order to find a new identity and be trusted as another person is apparently another type of personal motivation. Wallraff's successful use of the method has been an important inspiration for him. He experienced repeatedly that constructing a fictitious identity was an effective mean to receive trust and information he was searching for. The repeatedly search for new identities seems to have created a personal pressure towards what Sartre has called to choose yourself continuously as a new but even so as an empty self, because of the lack of existential continuity.

Interpretation of the Walrlaff-case

How should we consider Wallraff's method and social theory? As a sort of undercover journalist Wallraff has been very controversial within the sciences of journalism and communication. Indeed, because he applies the undercover methods of journalism on the profession of journalists themselves which caused a lot of controversy in the community of journalists. In this context, his method and activities raise the question of the validity of journalistic research methodology based on undercover journalism and the question of the personal responsibility of the journalist. So seen from this perspective the activities of Wallraff concern the aim and responsibility of investigative journalism. Here, we face the issue of the ethical and social responsibility of journalist in relation to his or her activities in society and the method of Wallraff suggests severe ethical constraints on the method of undercover journalism since it is based on the full personal involvement of the journalist in

the activities of investigative journalism.

However, the Wallraff method and case also goes beyond the methods and approaches of investigative journalism. Here we can consider the approach of Wallraff as a contribution to the debate about freedom of speech and whistle-blowing in organizations. The Wallraff-approach is about freedom of speech since it concerns the unlimited right to present the results of investigative journalism based on undercover methods in different organizations and institutions. Following this the case also becomes a case of whistle-blowing in organizations because Wallraff functions as an agent of whistle-blowing for the weak and poor members and participants of these organizations. Accordingly, we can argue that the Wallraff-case deals with three important issues of 1) investigative journalism, 2) freedom of speech and 3) whistle-blowing in organizations. Accordingly, we propose to look at these different dimensions of communication in the perspective of the Wallraff-case.

The ethics of investigative journalism

The Wallraff case proposes a case-experience of the ethics of investigative journalism. A strong criticism of his approach, as suggested in the debates about his activities has been that he violates the morality and ethics of journalism. The main argument against the Wallraff approach is that you are not allowed to lie and conceal the truth about your identity in favor of revealing the truth of the organization or institution that you are investigating. In the 1960s and 1970s this criticism was strongly put forward and it was argued that Wallraff was not serious since he was acting illegally in connection with his hiding of his true identity in connection with his activities. However, following several court cases the German Supreme Court ruled with the Lex Wallraff that the higher goal of attaining the truth justified that Wallraff concealed his identity in connection with his activities of undercover journalism. The idea is that Wallraff was not hiding his identity because of personal goal or intention of doing injustice but because he was interested in investigating the truth of matter. With this the need to know the truth in the public was more important than the respect for the law in relation to lying. Accordingly, in the name of the freedom of speech and the right to know about injustice of the public the investigative journalist is allowed to hide his identity.

The importance of the Whistle-blower

The Wallraff case addresses whistle-blowing in the context of freedom of speech and investigative journalism. Here, we can say that Wallraff is somebody who acts as an example for individuals to show how you can be a whistle-blower in your organization. But Wallraff is not a whistle-blower in the traditional sense. The normal definition of a whistle-blower is

that it is somebody who is internal to an organization and as an employee or other participant in the organization or institution experiences wrongdoing other problems that need to be presented to the public (Rendtorff 2009). In contrast to this the case of Wallraff presents a more active choice of being a whistle-blower since Wallraff uses investigative journalism to report about specific issues and problems in an organization. Here, whistle-blowing becomes an active choice of dealing with problems in organizations and institutions. With this we can say that Wallraff contributes to help whistle-blowers in becoming active and Wallraff becomes an example for whistle-blowers by insisting on reporting about the situation of the poor and oppressed at different levels of society.

With this active selection of a position to become a whistle-blower Wallraff contributes to the definition of the responsibility of the whistle-blower at different levels of society. Whistle-blower can be considered both a micro-meso and macro-levels, which we can deduce from Wallraff's investigative journalism. At the micro-level whistle-blowing becomes a question of responsibility of reporting the individual experience of life at the bottom of society. Here, whistle-blowing is happening through Wallraff as a stand-in and voice for the poor and oppressed, i.e. the Turkish worker, the immigrant, the psychiatric patient etc. We can call this a kind stand-in whistle-blowing where Wallraff through his experience of the life of the poor and oppressed in society reports about their conditions and in this sense blows the whistle to be public in society. We can say that Wallraff becomes a kind of stand-in existential whistle-blower who reports about the personal conditions of life at the bottom of society.

At the meso-level of whistle-blowing of life in organizations Wallraff represents an active whistle-blower who reports about the wrong-doing in different industries from media with the Springer to different industries with his experience as a worker in different factories in Germany. At this meso-level Wallraff suggests that whistle-blowing in organizations is justified in the name of freedom of expression. Accordingly, we move from the meso-level to the macro-level of society considering whistle-blowing as an integrated part of freedom of expression in democratic societies.

Defense of freedom of expression in democratic societies

With his defense of investigative journalism and the right to whistle-blowing as a part of freedom of expression we can situate the Wallraff-case in the context of famous whistle-blower cases like the Watergate case in the US in the 1970s. We can also mention the Challenger catastrophe in the 1980, the tobacco industry in the US in the 1990s and more recently famous whistle-blower cases like Julian Assange with his Wiki-leak as well as regarding Edward Snowden and ASA in the USA.

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In these different cases we find different concepts of whistle-blowing in public and private organizations. These involve that employees inform (blow the whistle) management about risk, problems, corruption, and bribery, criminal or unethical behavior. With this, employees go to the public about whistle-blowing of unacceptable issues in the organization, business or public institution. It is characteristic for such cases that employees break their loyalty in relation to the organization, business or public institution. With his active activities in this kind of whistle-blowing Wallraff has contributed to conceive whistle-blowing as an integrated part of freedom of expression in democratic societies.

Accordingly, the Wallraff-cases can be seen as a contributing to the institutionalization of the importance of whistle-blowing in democratic societies. This defense of whistle-blowing has been important in Europe where whistle-blowing traditionally has been weakly justified. In contrast the situation in the US is different. In FSGO (Federal Sentencing Guidelines for Organizations) the US government has included criteria for whistle-blower protection in order to facilitate reporting. In Europe, on the contrary there has in particular been skepticism in relation to the power of the authorities and to totalitarian regimes. This was indeed the case of authoritarian Germany in the 1960s and 1970s. For example, in Denmark the word "Varsling" hardly exists and accordingly, the active defense as an integrated part of freedom of speech, as suggested by Wallraff, has been very important.

Theoretical interpretation of whistle-blowing and freedom of expression

Looking at public and private organizations we can mention the importance of the freedom of expression of the employee in public organizations. They need to be able to express themselves about wrongdoing in relation to the public (Larsen 1996). This is needed because of the danger of the total dependence of the employee to the rationality of the organization as it has been described in contemporary social theory. Here we can mention Hannah Arendt's theory about the banality of evil and moral blindness where the bureaucrat has no connection with morality and ethical thinking outside his or her social role. Moreover, we can refer to Milgram's theory about obedience to authority, indicating how connection to a system of authority makes individuals act as members of this system. Indeed, Bauman's theory about bureaucracy and rationalization of organizations confirms this dependence of individual bureaucratic employees on the rational development of economic systems. Habermas' theory about the public space and freedom expression based on deliberative democracy provides the normative resources for justifying whistle-blowing by public employees as a part of the defense of freedom of expression. Situated within this framework the contribution of Wallraff documents the necessity of an active approach to problems in public bureaucracy and private organization and corporations, based on a democratic and critical approach to public organizations.

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An important reason for the need of active whistle-blowing may be the problem of moral blindness in public and private organizations. The concept of moral blindness is described by Frederick Bruce Bird in *The muted conscience: moral silence and the practice of ethics in business* (Bird 1996). Moral blindness means that individuals in an organization are not able to see moral problems. Moral deafness imply that they do not listen to people who speak about moral problems. And moral muteness implies the failure failure to speak up. Accordingly, it is the activity of the whistle-blower and the investigative journalist to reveal these dimensions of moral blindness, deafness and muteness in organizations to the public.

It is also important to take into account the social psychology of organizations. Philip Zimbardo, Social psychologist, develops his idea of the Stanford Prison experiment from 1971 in the book *The Lucifer Effect: Understanding How Good People Turn Evil*, Random House 2007. Zimbardo found that social roles determine evil action in organizations. He has now started *The heroic Imagination Project* about heroes in organizations as Whistle-blowers. Indeed, Günther Wallraff fits very well the qualification of being such a hero.

Implications for research in Whistle-blowing in organizations

What are the possible research implication of the Wallraff case and methodology for research in free speech and whistle-blowing in public and private organizations? We can argue that whistle-blowing and free speech as essential for a good organizational climate. Therefore, the investigative journalism, combined with active whistle-blowing is important for ethics of organizations, free speech in organizations and for overcoming moral blindness in organizations.

Themes for research in whistle-blowing in organizations following the Wallraff methodology include case-studies of moral climate in organizations, dimensions of communication challenges with regard to free speech, organizational disaster and lack of free speech in organizations; Problems of organizational climate with regard to free speech in organizations, establishment of procedures for Hot-lines for reporting disorder and fraud in organizations.

So the aims of this research could include investigation of cases of communication climate in organizations. We should also look at investigations of dimensions of moral blindness and deafness and in particular muteness in organizations with regard to speaking up. Moreover, we need to consider investigations and evaluations of examples of institutional frameworks for good whistle-blowing as well as development of a framework for justified whistle-blowing and free speech in organizations.

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This framework for these investigations would include background reflections about freedom of speech and responsibility of speech. In this context, there is a difference between national norms and different national ethos in relation to whistle-blowing. And there would also be differences in motivation for whistle-blowing and freedom of speech. This is also the case when we move from micro- and meso-levels towards the investigation of the relation between freedom of speech, whistle-blowing and international politics.

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