Constructing unknowers, destroying whistleblowers

Kate Kenny

abstract

How can ignorance persist in an era of ubiquitous information and increasing demands for transparency? The censorship of certain speech acts, and the vilification of those who make them, is critical to examine. In this article, I argue that whistleblowing is more than revealing secrets but can be understood as a practice of counter-ignorance. Within organizations, workers who speak truth to power about perceived wrongdoing play an important role in transgressing strategies of ignorance that are ever more nuanced and subtle. Whistleblowing can attract violent reprisals that generate chill effects, silence other would-be disclosers and shut down critique. This effectively upholds the positions of the 'unknowers' who possess the authority to influence what can be known and what must not be acknowledged in the organization of ignorance. In this article, I argue that a censorship lens is useful in showing how subjectivity can be denied to those who speak against ignorance, with the example of national security and intelligence whistleblowers offered to illustrate these dynamics. This article shows how a focus on organization is critical for understandings of strategic ignorance. Central to this is the worker, her capacity to speak out, and how she is framed as a result.

Organized ignorance: Positions of power and threats to positions of power

Why and how are we kept in the dark about things that matter to us? Ignorance is something that is produced. Ignorance is not merely a gap in

knowledge but rather the outcome of cultural and political struggle in which knowledge is withheld (Proctor and Schiebinger, 2008). Agnotology – the study of such struggles – has lately focused on elite power. Scholars examine how certain positions enable the deployment of superior resources to shape what can be known or unknown (McGoey, 2019). On this view, power and the structural conditions upholding it come to the fore. 'Oracular power' is 'defined as the capacity to determine where the boundary between knowledge and ignorance lies' (McGoey, 2019: 16). For oracular power to work, those who possess it must be perceived as legitimate and capable of making decisions even on aspects beyond their own capacities.

What happens when oracular power results in the promulgation of destructive forms of ignorance? When apparently authoritative sources of information work to obfuscate situations, withholding information and hindering the spread of knowledge? For some, 'more facts' are what is needed to challenge ignorance. Experts simply need to 'double down on the facts' in order to disarm the problematic oracular. Ideally, well-known individuals will act as champions who present the facts to a wide audience. The misinformation forwarded by someone like Donald Trump on climate change, for example, can be countered by a kind of David Attenborough figure, whose public appeal rivals the emotion invested in Trump (see for example Harford, 2017). The idea is that an increase in the volume of information on contentious topics, presented in a familiar and compelling manner, will naturally lead people to challenge ignorance and while doing so, challenge harmful oracular power. From this perspective, the position of oracular power is upheld by an absence of compelling facts.

For others, psychological studies provide an answer (see McGoey, 2019 for discussion). Research shows how people interpret information selectively, choosing for example to ignore painful or uncomfortable facts. If such research could be more widely shared, the argument goes, people would come to understand and correct their inherent biases, again leading to a greater number of individuals possessing a greater number of 'facts' thus arming them sufficiently to challenge power. Underlying both of these views is the notion that the individual who manages to overcome obstacles and finally possesses the 'true' facts, can defeat ignorance and work to change the world for good. But in an era in which information is so widely available

and yet ignorance increases, is this approach sufficient? Or is something else at work to support elite, oracular power? Perhaps the very lenses through which we view the bearers of 'facts' are already coloured in ways that encourage us to ignore both the tellers, and what they have to say.

The unknower as central to the question of ignorance

At the heart of organized ignorance is the figure of the unknower (McGoey, 2019). The unknower helps set the agenda for 'what is known and what is not known' and, crucially, has the power to disseminate this knowledge – or un-knowledge – far and wide (McGoey, 2019: 40). If we are to interrogate this power, we should surely examine the dynamics by which unknowing operates: how it emerges, how it comes to be shared, how its boundaries are enforced, and how transgressions are dealt with (Otto et al., 2019). We should examine the power that holds this position of unknower in place. The apparent acceptance of contemporary unknowers appears somewhat strange. Against a backdrop of ubiquitous information, demands for freedom of information, and calls for transparency, surely these positions are subject to continuous challenge? The impunity of the unknower makes little sense, and yet as we see again and again, it appears to persist. Questions emerge: How does the position of the unknower survive amid so many small incursions onto its turf, so many calls for its undoing? Under what conditions does it stay in place? Something powerful must be working to support the position of the unknower. But what?

Organizations play a central role in the spread of ignorance (Bakken and Wiik, 2017). As authoritative sources of expertise and knowledge, the statements and messages emanating from organizations can shape debate on important topics. The knowledge produced within and by organizations can support the perceived legitimacy of oracular power and the position of unknower from which it emanates, or it can challenge. If this is so, then the ways in which workers are enabled to speak truth to power about perceived misinformation – or are silenced when attempting to do so – can be a deciding factor in the maintenance of ignorance.

Continued and active denigration of those figures who most cast doubt on the position of unknower is part of the scaffolding upholding ignorance.

Those who seem not to get the memo about what we are supposed to know, and what we are supposed to ignore, pose a danger. They threaten the structures of knowledge that underlie the status quo and that ultimately protect the interests of powerful parties. These 'knowers' are considered loose cannons, because the normal social sanctions against transgression do not seem to work with them. The organizational cultures that encourage loyalty and complicity, the shared fear of speaking up and becoming stigmatized for doing so, all the reasons 'normal' employees tend to remain silent – these have little traction. Knowers break away from norms upholding informal and subtle strategies of organized ignorance.

Whistleblowers are among these individuals, and are particularly important figures in the context of organizational unknowing. Akin to parrhesiastic speakers of truth to power, whistleblowers dispense with reasons not to speak, and they speak anyway. This poses something of a problem for those who benefit from the ignorance that provides the scaffolding for structures of power. Courageous knowers could be their undoing, if their utterances gain traction with a listening public in a society that, ostensibly anyway, values truth and transparency. Such individuals are anathema to the perceived authority of organizations and organizational leaders (Alford, 2001).

In this article, I argue that organizational whistleblowers threaten the position of the unknower and, therefore, represent a critical challenge to ignorance; their disclosures are counter-ignorance in practice. Moreover, to echo Mary Douglas, the figure of the unknower – her legitimacy, her acceptability – is premised on the active and continued vilification of the figure that haunts its boundaries: the other – the 'knower', against which she is defined. Unknowers can only exist in place through direct and unambiguous denigration of their opposite, because of the very threat this opposite poses to their position which is, by all common standards, shaky at best. Simply maligning disruptive truth-telling is not sufficient; such transgressions must be relegated to the status of the impossible, the nonsensical: utterances that are just noise and nothing more.

This article adds to recent calls to foreground power and the political in studies of ignorance, in this case via attention to the position of the

unknower (cf. McGoey, 2019). Specifically, I argue that the concept of censorship inspired by psychosocial and poststructural thinking is valuable (Butler, 1997). Censorship sheds light on the way in which the organization of ignorance relates to the organization of subjectivity. We see this most clearly when the organization of subjectivity via censorship is resisted and refused, that is, when certain subjects upset the informal consensus around ignorance by insisting on speaking despite normative injunctions to desist. When such speech acts attract punishment, we can see the limits of strategies of ignorance: where they break down, but also how they in turn break those who are mad – and I use this term deliberately – enough to resist them. The proposed framing highlights how the power and status of the unknower is partly premised upon, amplified and enhanced by the censorship of those inexplicable people who seem not to get the memo, when it comes to norms of what we do and do not speak about. In certain settings, whistleblowers transgress the implicit rules that govern both macro and micro ignorance (McGoey, 2019). Their subjectivity is foreclosed from the start because of this transgression through speech; hence the extreme forms of retaliation to which they can find themselves exposed. This extreme retaliation serves a purpose; it acts to uphold and reinforce the position of the unknower, sending clear signals to others about the dangers of challenge.

While this theoretical framing draws on insights from psychoanalysis, this is not a psychological perspective in which the individual is the focus, and the social and political are ignored. In contrast a psychosocial approach foregrounds the ways in which the social and political both structure, and are structured by, the subject. Desires and attachments provide the glue for this dynamic (Butler, 2004). If the political plays a central role here, what kind of power is at stake? Agnotology is the study of how ignorance is constructed, produced by social, cultural and political processes. Lack of knowledge emerges 'either through selective choice and cultivation or through neglect and intentional acts of deception' (Khoo, 2020: 11). Taking a poststructural approach to these questions, a censorship framing is influenced by a Foucauldian perspective, which rejects the idea that some central agent is acting to deploy power. Rather, power works through discourse, forming coherent and comprehensive systems. These are diffuse;

'it is often the case that no one is there to have invented them and few who can be said to have formulated them' (Foucault, 1990: 94). In the context of this article therefore, and its study of unknowers, the focus is not simply on individuals who shape but rather on the position of the unknower that enables the shaping. The unknower is a position within the system, whose capacity to influence is upheld and supported as a valid authority on what can be said and what must be ignored. For sure, some individuals do benefit from the system. Their actions and identifications help maintain it. Our focus here, however, is on the capacity inherent to the position of the unknower and the discursive framework enabling it, rather than searching for the single locus of power from which it emanates (Foucault, 1990).

Following Flyvbjerg (2006), to study a phenomenon, it is useful to study an extreme example. In this case, the organization of ignorance in national security and intelligence organizations (NSI) is instructive. Whistleblowers in this sector are particularly vulnerable. Relative to other public sector whistleblowers, they typically have weaker legal protections, face greater risk of prosecution for their disclosures, and encounter more public ambivalence. Examining NSI whistleblowers as knowers sheds light on the organization of worker subjectivity in support of strategies of ignorance in other settings, specifically what occurs when certain subjects break the frames of knowledge that uphold these strategies, by speaking out about wrongdoing they witness while at work. Moreover, changes occurring in NSI organizations are increasingly visible elsewhere, thus this area is important to study.

In what follows, I introduce the case of NSI whistleblowers, before drawing out specific mechanisms of exclusion they face that go beyond the situations encountered by whistleblowers in other sectors. Next, questions of why these exclusions persist, and the effects that they have, are explored. A censorship framework inspired by Judith Butler sheds light on these issues. The article concludes by elucidating two key insights for the study of ignorance. The first involves the trends and tendencies exhibited in the NSI case that have increasing relevance for the role played by whistleblowers in counter-ignorance practices in other sectors, as well as the obstacles they face therein. The second insight is to conceptualize how the interrelationship between censorship, whistleblowers and unknowers can

help inform studies of ignorance more generally. Focusing on whistleblowing as a practice of counter-ignorance is instructive. Whistleblower reprisal involves censoring via subjectivity: differentiating between subjects considered valid speakers, and those who are not. This process of violent reprisal is needed in order to uphold the position of the authority organizing ignorance. Reprisal against such subjects is, on this view, important work that helps secure the status of the unknower, and signals to onlookers the dangers of challenge. This perspective suggests that future studies of ignorance might be attentive to the power dynamics inherent to the position of the unknower, specifically the exclusions of certain subjects in order to maintain this position, and the violence involved in these exclusions. Agnotology – at its core – involves examining structures of ignorance and the forms of power that uphold them. Workers in organizations who speak out against such structures are critical in counter-ignorance struggles, as are their experiences of reprisal. These cannot be overlooked in the ongoing development of this field.

Oracular power in NSI settings, and whistleblowers as threats

Some of the most grievous acts of destruction against humanity have been carried out by nation states, and the organizations that comprise them. Strategies of ignorance are frequently deployed in order to deter public disapproval, to obfuscate events and distract from what is taking place (Gurman, 2020). National security, intelligence and military organizations are central to these activities. They play a role in the dissemination of certain kinds of knowledge, and the obscuring of others. The position of such organizations and senior leadership within them, as unknowers, is well documented (Varon, 2020).

Since the 1970s, we have seen an increase of whistleblowers in NSI organizations, coming forward with information that challenges the authority of their leadership to dictate what should be known by the public. As some well-known cases attest, whistleblowers in this sector have threatened structures of ignorance, making critical information concerning corporate and state corruption, and human rights abuses public. Notable examples include Daniel Ellsberg's leaking of the Pentagon Papers to the

New York Times in 1971, a history of the United States' political and military involvement in Vietnam from 1945 to 1967 that contradicted official government narratives on the war and highlighted how the US public had been actively misled about what was taking place (Heinrichs et al., 2019; Maxwell, 2020). Katharine Gun's revelations were likewise profound; her disclosures informed US and UK citizens that their governments had attempted to manipulate United Nations support in order to pursue an illegal war in Iraq – a war causing the deaths of hundreds of thousands of civilians and thousands of coalition troops. Gun's impact was also significant leading to a formal investigation commissioned by UN Secretary General Kofi Annan, and the resignation of the UK attorney general's legal adviser and two senior Labour MPs, all of whom departed in protest of UK's involvement in the war relating to her disclosures (Mitchell and Mitchell, 2008). In 2013, Edward Snowden's leaking details of the National Security Agency's (NSA) programme of global mass surveillance to the *Guardian* newspaper led to new US legislation around data privacy, while his revelations continue to inform debates on international data transfers including between the US and the EU.

In each of these cases, the information brought forward by whistleblowers contradicted the official story. In secretive and complex organizations, only insiders are in a position to challenge in a convincing and authoritative manner the ignorance being promoted by organizational leaders. Most insiders remain silent; organizational ignorance prevails in plain sight with thousands of workers coming into the office every day without realizing, or allowing themselves to realize, or realizing but feeling afraid to do anything. Most insiders, but not all. People like Katharine, Daniel, Edward are interesting in that they are insiders challenging the organization's official message to the outside. They position themselves as knowers, a position that challenges the status quo.

NSI whistleblowers can suffer particularly extreme retaliation for acts of knowing

Despite the clear public interest, served by their resisting complicity with ignorance, NSI whistleblowers can find themselves subject to severe sanctions: these can come from their employers, the state and society more

generally. Once their names are disclosed, they can be fired from or blackballed in government service, or sometimes find themselves the subject of a smear campaign in the media, a position that is ever more precarious in today's polarized environment. Of course, this reflects the experiences of some whistleblowers in other sectors, as countless films and books depict. But the situation for NSI whistleblowers is particularly challenging (Melley, 2020; Terracol, 2019). The laws protecting whistleblowers across a range of industries and sectors have improved and strengthened over the past twenty years in many countries. Yet whistleblowing protections for NSI employees generally remain weak (Gardner, 2016; Gurman and Mistry, 2020).

In some cases, NSI whistleblowers are threatened with prosecution. The US Espionage Act is a hundred year old piece of legislation aimed at prosecuting spies and traitors, but today is also used to criminalize protest, where to speak out is to be guilty (Munro, 2019). Such laws are interpreted broadly in order to threaten NSI employees with prosecution if they disclose information that the government deems damaging to the defence of the country or its interests abroad, even if the supposed damage is highly questionable (Gurman and Mistry, 2020). Similar legislation exists elsewhere including the UK and Irish Official Secrets Acts for example. Under such laws whistleblowers are denied a public interest defence; they are unable to present evidence that could be used to support their case or to exonerate them (Jones, 2020). Breaching secrecy laws is the main reason NSI whistleblowers are threatened with prosecution (Mistry, 2020). As a result of the increasing tendency to classify more and more documents within these organizations, the potential to breach such laws likewise increases, and hence whistleblowers are more likely to be prosecuted (Gardner, 2016; Lebovic, 2020). Commentators note that the punishments levied at NSI whistleblowers have become increasingly severe since the 1970s, with cases such as Reality Winner's offering exemplars of this (Gurman and Mistry, 2020).

Where whistleblowers fail to secure the support of the law, are without institutional assistance from unions or professional associations, and find themselves targets of retaliation, public support can play a critical role in their protection. While public support does not necessarily lead to political change in an era of celebrity-whistleblowers (Melley, 2020), media

campaigns can and do improve a whistleblower's fortunes. Well-strategized campaigns can for example embarrass an organization, who is now in the spotlight both for the original wrongdoing and for subsequent retaliation against a well-meaning worker who spoke up (Devine and Maassarani, 2011; Maxwell, 2020). Politicians can find themselves under pressure to seek justice on behalf of the whistleblower, while the public outcry sees journalists rushing to cover the story.

In the search for popular support however, NSI whistleblowers find themselves at a particular disadvantage, vulnerable to being smeared as national traitors whose disclosures potentially endanger lives, and revealers of important secrets that protect us all (Mistry, 2020). Isolation, not support, can be a more common experience for NSI whistleblowers. Even their legal teams can find themselves the source of vilification for years afterwards as seen in Edward Snowden's case (Munro, 2018). The lawyer representing whistleblowers in President Trump's impeachment case was dropped by his insurance firm (Haberman, 2020), later receiving a death threat. Journalists who cover these whistleblowers' stories can also face retaliation.

Worldwide whistleblower protection, but not for NSI disclosers

While calls for better whistleblowing protection have never been louder, the desired protections do not extend to every kind of worker. NSI whistleblowers are not part of today's trend that sees policy-makers, legislators and even organizations demanding improvements in whistleblower rights. Whistleblowing laws have been present in the United States since the 1970s and the past twenty years have seen successive enhancements including protection against retaliation and the offering of rewards in certain sectors. The UK adopted its Public Interest Disclosure Act in 1998 followed by Australia, Canada, and Serbia to name just a few, and since 2020 a wide-ranging European Union directive instructs to member states to vastly improve protections for whistleblowers, to institutionalize support, and to ensure investigations take place into reported breaches of EU law. From the subject position of the whistleblower and how she is perceived in society, such changes do more than reinforce her legal rights. They enhance her acceptability, reduce stigma and help to dismantle the problematic association of whistleblowing with acts of treachery, informing

to authorities and other negative stereotypes that can persist, particularly in societies with a history of authoritarian government.

The figure of the whistleblower is arguably held in higher esteem than ever before. The potential for structures of ignorance to be challenged, therefore, increases with support from such eminent corners. While the balance of power is by no means reversed in favour of those who speak out, the capacity for resistance does increase against this backdrop. For some whistleblowers, but not for all. National Security and Intelligence whistleblowers remain out in the cold and continue to suffer the most severe retaliation of all groups (Gurman and Mistry, 2020; Terracol, 2019). The incoming EU directive, providing extensive protections for whistleblowers across many sectors, omits this group; those who disclose matters relating to security, defence and classified information are outside of its scope (Nad and Colvin, 2019). In the UK, ongoing calls to improve the Public Interest Disclosure Act tend to exclude NSI whistleblowers, instead focusing on the health and financial services sectors, in which a large number of high-profile cases have emerged to gain public support over recent years (Kenny, 2019). The increasing attention being paid to whistleblowers across a range of sectors and in many countries tends to overlook NSI whistleblowers.

Perhaps NSI 'knower-whistleblowers' should not be protected?

Perhaps, however, ignorance is important to maintain. After all, states need secrets in order to protect their people and to forward the national interest. Perhaps the position of the unknower in NSI organizations is misunderstood. They require authority and legitimacy because they have responsibility for forwarding narratives that keep us safe – curated versions of events and selective information that help us to act in our own best interests, interests that more knowledgeable and experienced authorities have carefully considered and diagnosed. This might suggest that in fact it is correct to curtail the freedom of the NSI whistleblower to speak out, because of the threat to the state's authority that she poses. Another argument is that the NSI whistleblower potentially represents a real danger to individual lives, if innocent people are named in public as a result of her disclosures.

The problem, however, as noted by the Council of Europe, is that the maintenance of secrecy and confidentiality within the inner workings of government is too often equated with absence of scrutiny and oversight (Terracol, 2019). The two issues are not the same. Wrongdoing can happen in any organization – governments, national security and intelligence bodies are by no means immune to abuses of power as successive scandals have shown. But punitive approaches to whistleblowing in these organizations hamper all kinds of other problems from being addressed. An example of this is Irish defence forces whistleblower Tom Clonan, who was threatened with prosecution for breaching that country's Official Secrets Act (Clonan, 2020). The content of his disclosure? Widespread sexual harassment and abuse against female colleagues. Serious wrongdoing was occurring, but it was not the kind of activity that jeopardizes state security. However, because he served in the defence forces, draconian security legislation was used as a threat in attempts to silence a whistleblower and conceal his information.

Even in cases where sensitive information is at stake, enabling workers to disclose genuine concerns about wrongdoing needs not automatically jeopardize secrecy and safety. This is the central premise of the Council of Europe's recommendations and the Tschwane principles, which advise how states might approach enabling proper channels for disclosure and outside scrutiny that do not, and should not, put national security at risk. The current situation simply acts to prevent effective scrutiny and oversight, stymie debate about activities and decisions within NSI organizations and hamper the ability to detect wrongdoing, as the United Nations argues (Terracol, 2019). In the absence of this, the two obstacles of weak whistleblower protections, and the threat of prosecution for those who speak out, sends a clear message to those who witness wrongdoing: remain silent. NSI whistleblowers are without protection. And, almost unique in terms of whistleblowers today, they are without the promise of protection to come.

The inexplicable, impossible NSI whistleblower

If the protection of the NSI whistleblower is demanded by such austere institutions such as the Council of Europe and the United Nations, along with many whistleblowing advocacy and expert groups, who for example

campaigned for her inclusion in the scope of the recent EU directive (Nad and Colvin, 2019; Terracol, 2019), then why does she remain so exposed and vulnerable, as if her words do not serve society? Why is she denied a public interest defence in court: a crucial right to enable cases involving ethical and moral decisions to be judged appropriately? Why is such extreme retaliation allowed to continue and why is she left out of the stampede to protect other kinds of whistleblowers?

In certain cases, the person who speaks out finds that she has no place in the accepted norms of behaviour within the organization. Rather than 'good' or 'bad', she is somewhat inexplicable. She eschews more commonly seen traits: a desire for belonging to the organization, commitment to the group, expectations around complying with organized ignorance, and she speaks out regardless (Perry, 1998). She is thus somewhat impossible in terms of the position she occupies within the cultural norms of both organization and society (Contu, 2014). Trying to make sense of this apparent inexplicability, C. Fred Alford cites Daniel Ellsberg to depict such individuals as 'spacewalkers' who appear to act like people from another planet (Alford, 2001: 120). But how and why does inexplicability – the crime of being from a different planet – lead to such drastic sanctions?

Censorship: An important mechanism in the maintenance of ignorance

Judith Butler's notion of censorship shows how people are constructed in and through speech acts that, in certain circumstances, can render them inexplicable and excluded from what is deemed to be a valid, legitimate person. Censorship is a form of discursive power that produces particular kinds of subjects by instating a boundary separating legitimate from illegitimate utterances. The production of this boundary works to delineate valid from 'invalid' subjects, excluding the latter and granting their speech the status of incomprehensible nonsense (Butler, 1997). Censorship helps to delimit what 'can and cannot be thought' within a particular cultural setting.

With censorship Butler develops earlier ideas on subjectivity and power inspired by psychoanalytic and feminist theory. These ideas have long shed light on experiences of workers in organizations and specifically the nature of complicity with, and resistance to, organizational norms. Butler's work on

subjectivity has enhanced understandings of organizational gender and sexuality, ageing, management and managers, and whistleblowing (Riach et al., 2016; Fotaki and Harding, 2018, Harding et al., 2013; Kenny, 2019; Pullen, 2006). Studies show how workers, as subjects, are compelled via psychic desires to adopt discursive positions that grant them much-needed recognition within their symbolic world. This desirous compulsion thus reinforces and maintains particular discursive norms in place, just as it can cause injury and pain to the subject who finds herself attached to norms that ultimately injure. Control operates through 'self-supporting signifying econom(ies) that wield(s) power in the marking off of what can and cannot be thought within the terms of cultural intelligibility' (Butler, 1990: 99–100). Subjectivity is thus always embedded in power. It is the desires of multiple subjects to find places of identification within them that enhances and buttresses these signifying economies.

An aspect of this work with particular relevance in the context of this article is the idea that exclusions – the 'marking off' described by Butler – can occur through acts of speaking, an issue Butler develops in her chapter *Implicit Censorship and Discursive Agency* in *Excitable Speech* (1997). Censorship works as a matrix of control that not only constrains, through prohibiting people from speaking in a certain way, but also produces, in that it produces certain kinds of subjects. Censorship is thus a constitutive dimension of the construction of the 'exclusionary matrix by which subjects are formed' that Butler describes in earlier work; the construction of such a matrix 'requires the simultaneous production of a domain of abject beings, those who are not yet "subjects", but who form the constitutive outside to the domain of the subject' (Butler, 1993: 3). In this case certain kinds of speech are considered to be 'legible as the speech of a subject' (Butler, 1997: 133). Others are not.

In certain cases, censorship thus produces boundaries that circumscribe viable 'candidate(s) for subjecthood' through dynamics of exclusion (*ibid.* 133). People engaged in speech considered to be 'impossible' within the terms of the exclusionary matrix, unrecognizable within 'norms of speakability', simply do not count as valid subjects. Their lives are vaguely recognizable as human but their status is 'not quite' that of subject (see also Butler, 2009). The place they occupy is not simply subordinate – if that were

the case, they might conceivably be able to lay claim to rights or needs that have been denied to them. Rather, they are unrecognizable amid any categories of signification – including that of 'other' – and thus their exclusion runs deeper still (Varman and Al-Amoudi, 2016). If violence occurs against such lives, it does not engender grief or sympathy because these were not subjects, nor even valid, to begin with. Returning to the speech acts that gave rise to such positions that are not recognized, these too are devalued and, therefore, ignored. Rather than heard as language, such utterances are considered 'precisely the ramblings of the asocial, the rantings of the "psychotic"' (Butler, 1997: 133). Mere noise, not speech, is what emanates from people that are not subjects. In practice, claims of psychological instability are often levied against whistleblowers and their supporters as part of smear campaigns (Kenny et al., 2019).

While Butler has used these ideas to interpret the role of censorship in the production of hate speech (Butler, 1997), it is useful to understand attempts to speak truth to power – to whistleblow – through this lens, specifically to examine the matrices of exclusion or otherwise that take place (Kenny, 2019). Censorship shows how whistleblowers can form part of a matrix of exclusion, in which some subjects are legitimized – for example as unknowers enjoying oracular power. Speakers that pose a threat to this power are not only demoted to the status of other, they are denied any recognizability at all. This all works in the service of upholding the position of the unknower, a position that, on the surface seems quite unstable. The unknower only exists because her counterpart's capacity to act as a speaking subject has been stamped out of all recognition.

In the case of NSI whistleblowers for example, the extraordinary reprisals this group can experience for speaking out in the public interest are only accepted by onlookers because these actions are not really seen as reprisals. Violent and destructive retaliation can only take place against 'real', valid employees, not inexplicable space-walkers, who are speaking language we cannot or do not want to understand. Hence this group is overlooked by the drafters of legislation who are trying to protect and support whistleblowers in most other sectors. NSI whistleblowers are overlooked because, as invalid entities engaging in impossible speech, there is no ontological basis for their inclusion as speaking subjects deserving protection. Their punishment by

hundred-year-old spy laws goes unremarked, while NSI whistleblowers can find themselves targets of vilification even by ordinary people who are served well by their disclosures. In this way, the subject position of the NSI whistleblower remains sadly impossible. Ignorance is managed and prescribed through framing the person transgressing as someone that must be ignored. She is not quite a subject, rather a fuzzy kind of entity engaged in psychotic ramblings.

What does this mean for the workers in NSI organizations, whose whistleblowing rights appear to be so radically curtailed? To paraphrase C. Fred Alford (2001), the experiences of whistleblowers tell us a lot about the organizations of which they speak. In this case, they are not to be considered subjects of speech with the ability and right to articulate their views as citizens, even where wrongdoing is at stake. It seems as though their selves, their positions as subjects, are merely extensions of the rules and bureaucracies of the places they work, and nothing more. The capacity for ethical judgement is foreclosed. This has significant implications for the work of public service in the traditional sense in such settings – where the ethos of serving the public interest is under attack, workers are denied the capability to exercise autonomy and dissent. Moreover, as the scope of classifications increases, and secrecy agreements ensure ever-greater opacity on the part of many kinds of organizations, will the phenomena described here have implications for public sector workers more widely?

At first glance, it may appear that the concept of censorship is somewhat overblown. Surely, figures like Edward Snowden cannot be said to be silenced, less still deprived of subjectivity? On this, it is important to note that, in practice, the vast majority of whistleblowers in this sector especially and many others also, are never heard at all. Most whistleblowers are either actively silenced, or they give up. Despite ongoing calls for change, whistleblowers typically lose their legal cases (IBA, 2021), while practical support for those that suffer remains rare or non-existent (Kenny and Fotaki, 2021). The whistleblowers mentioned here are, therefore, unusual because they have succeeded in gaining even a partial audience to which they can appeal. Drawing on a censorship lens to examine these extreme albeit unusual cases can help us to understand the dynamics of silence in relation to the upholding of ignorance more generally.

Concluding thoughts: Ignorance, unknowers and censorship

The case of NSI whistleblowers examined through a censorship lens offers some insights for the study of agnotology. First, scholars will acknowledge the critical role played by workers and organizations in the promulgation of ignorance, and the challenge to this. In an era of increasingly opaque work practices—in sectors from big tech to pharma and financial services—we often depend on insiders to tell us when deliberate strategies of ignorance are being forwarded. Many workers remain silent when faced with instances of serious wrongdoing but some speak out and 'blow the whistle'. Whistleblowers therefore represent a critical part of the fabric of counter-ignorance. Their disclosures can prove a direct challenge to the position of oracular power, and hold the potential to overturn it.

But whether and how whistleblowers are listened to can depend on the framing of their subjectivities by those others with which they interact. Following Butler, some speech acts are deemed impossible, un-hearable, and non-sensical with the concomitant dismissal and exclusion of the speaker. Other speech acts are upheld as emanating from valid authoritative sources. An attention to this framing of disclosers, the power activity therein, can help us to shed light on practices of ignorance and counter-ignorance, with the role of organizations front and centre. This work is important, not least because ongoing changes within NSI organizations are increasingly observable in other sectors. It may be that the capacities of whistleblowers to effectively disclose truth to power and challenge structures of ignorance will be eroded accordingly. The specific mechanisms of censorship and ignorance in the cases described relate to trends appearing elsewhere, as described next.

In retaliation campaigns emanating from their former employers, NSI whistleblowers are increasingly framed as 'hired hands' because of the growing prevalence of non-permanent employees. They are depicted as mere contractors bought-in from the outside and thus not to be trusted when disclosing apparently important information, as in the case of Edward Snowden among others (Melley, 2020). This smear tactic overlooks the fact that in the US, since the 1970s, the federal government and CIA are increasingly relying on contracting staff as part of moves to shrink the

permanent government, with similar changes happening elsewhere. However, this point often goes unmentioned in media articles that quote his former employers, who describe Edward Snowden as 'only a contractor', 'a former Dell employee', in other words not really 'of the organization' (Snowden, 2019). Such depictions also overlook Mr. Snowden's internal intelligence community and military background, but they are used nonetheless. In the wider world of work, short-term contracts are increasingly prevalent. These novel tactics of countering the efforts of whistleblowing 'knowers' have implications in other sectors.

Second, we are likely to see increasing deployment of censorship, chill effects and vilification in the upholding of oracular power in a wide range of sectors. The reason is that these tactics and strategies are increasingly seen as the only option, in an era of increasingly 'leaky' organizations. Changing technologies make leaks of huge volumes of data much easier (Munro, 2017; Weiskopf, 2021). Compare Daniel Ellsberg's many nights of photocopying documents and the labour involved in transferring information from inside to outside the organization, with Edward Snowden's micro-chip embedded in a Rubik's Cube carried in his pocket as he left for home from the NSA headquarters in Hawaii. The sheer volume of information that can potentially be transferred has increased exponentially, as has its ease of transfer. In addition to this, the profile of a potential whistleblower is shifting. People who speak out about systemic and deep-seated corruption are often at mid- or senior level in their organization, because they need to be in a position with at least some oversight of the overall system, insight into different silos and understanding of how they work together. It is often only from this perspective that serious wrongdoing can be diagnosed. Traditionally, this person was mid- or late-career due to the length of time needed for promotion. This is changing. As a result of the increasing digitization of NSI activities, junior staff and new joiners enjoy unprecedented levels of access to information across the organization; they are the only ones possessing the technological expertise required. With the increasing digitization of ever more types of work, the trend toward leakier organizations is reflected elsewhere.

Against such institutional shifts, what other tactics do organizations employ? One response involves dramatic increases in the kinds of

information that are deemed secret. This can be seen for example in recent years' proliferation of document classification (Immerman, 2020). The framing of an NSI whistleblower as a 'revealer of secrets' is an important strategy in defusing any public support that might be forthcoming. Such a framing precludes any debate on whether or not this kind of whistleblower is in fact fulfilling their duty as a public servant by speaking out about wrongdoing, a common argument in defence of this position (Ceva and Bocchiola, 2019; Tsahuridu and Vandekerckhove, 2008; Vandekerckhove and Tsahuridu, 2010). One's duty as a public servant becomes the duty to keep secrets even where problematic. It follows then that the broader the category of document that can be labelled secret, the greater the number of NSI workers falling within this frame. The widespread classification of all kinds of benign information grows. This concerning trend is seen even in private sector organizations via the increased use of non-disclosure agreements as part of whistleblowing dispute settlements for example. Additionally, there is the growth of pre-emptive secrecy clauses that new recruits must sign as part of employment contracts, promising not to exercise their whistleblower rights if they witness wrongdoing. While whistleblower protection laws technically override secrecy agreements in court, this fact is not well known; secrecy agreements confuse workers. The performative effect of signing secrecy contracts is to instill a fear of breaking them, a predilection for silence, and an overall chill effect around speaking out. Even if it is legal, who would want to risk it? In this way both bureaucratic practices and psychological attachments combine to uphold norms of secrecy in sectors beyond NSI.

A further effective tactic is to create examples of workers who do speak out and to ensure the message is loud and clear. In the case of organized ignorance, excessive reprisals have the effect of sending unambiguous messages to others who would challenge the position of the oracular. They can see what will happen if they try to hamper unknowers in the conduct of their knowledge-shaping activities. What legal experts describe as 'chill effects' emanate and circulate through the stories that are told by journalists, by film-makers, and by colleagues. The matrix of censorship is once again reinforced. The deployment of whistleblower reprisals as serious

warnings to other workers has been studied in a variety of sectors to date (Alford, 2001; Kenny, 2018; Rothschild and Miethe, 1999).

It is important to note that power is not a zero-sum game; the marking off of subjectivities, through mechanisms of control including censorship, is productive in that it produces new kinds of subject position (Butler, 1990, 1993; Foucault, 1990). In many of the examples given here, from Daniel Ellsberg to Edward Snowden and Katharine Gun, whistleblowers have themselves engaged in struggles over oracular power, speaking publicly in legitimate forums to challenge what they perceive as dangerous ignorance. Ongoing research usefully examines these moves, the strategies and 'truth-games' to which they give rise, and the inherent potential for whistleblowers to collaborate with others including activists, lawyers, politicians and journalists (Kenny, 2019; Munro, 2017). Future research into these collaborative counter-ignorance practices that aim to redefine 'where the boundary between knowledge and ignorance lies', is critical (McGoey, 2019: 16).

In the interlinked relationship between ignorance, the unknower and the whistleblower, we see how clear shifts in the balance of power are taking place, enabled by ongoing changes and capacities including technological ones, and in a wide range of sectors. The direction of these shifts remains ambiguous and indeterminate and further research is required into each of these aspects.

The dynamics of unknowing and the scaffolding of oracular power

This article speaks to agnotology more generally. First, it suggests organizations are critical loci for the promulgation of ignorance and must be examined in more depth, with specific attention to the framing of knowers and unknowers in organizational settings. Organizations tend to operate within what Mirowski, discussing the profession of economics, refers to as 'thought collective(s)', each coming with its own norms of acceptable speech. An examination of the relation between unknowers, whistleblowing and censorship in a particular setting demands attention to the implicit forces that govern the 'conditions of intelligibility' of speech (Butler, 1997: 134). As Butler notes, 'the question is not what it is I will be able to say, but

what will constitute the domain of the sayable within which I begin to speak at all' (1997: 133). This is no easy task. The elements for which we search are not readily available for examination. The underlying structures of power, or matrices of control, are rarely acknowledged as such, and of course to speak about them is to speak outside of the terms circumscribing legible speech. Perhaps, however, we can encircle the specifics of certain situations with an eye for what kinds of things are put to work in the demarcating of conditions of intelligibility. Perhaps we can examine what defines the sayable against the unsayable. Scholars have begun to examine how, for example, technological representations related to gender and sexuality frame what counts as valid truth tellers (Agostinho and Thylstrup, 2019), and how professional norms around silence and complicity determine who can speak out and about which topics (Kenny, 2019; Weiskopf and Tobias-Miersch, 2016). Future research will ideally examine the dynamics underscoring the way subjects who transgress are positioned and framed, and specifically how this relates to the ways in which unknowers are presented, in order to understand the workings of organized ignorance and their proliferation of harm. Methods that enable in-depth exploration of these issues including ethnographic and qualitative work, hold promise here.

Rendering whistleblowers unspeakable and impossible effectively upholds the position of oracular power, and benefits those who gain from the promulgation of ignorance. Ignorance depends on maintaining and reinforcing an organizational, and institutional, matrix of control that creates an implicit, normative 'domain of the sayable'. This domain produces certain kinds of subjects – legitimate ones operating within the boundary of what is deemed acceptable speech, and a set of unspeakable, impossible others whose statements must be discounted because the subjects were not valid. What NSI whistleblowers show us clearly is how this process does more than reinforce oracular power, it places others in serious danger. At the heart of genuine whistleblower disclosures is a person who is suffering. A victim of an illegitimate war, for example, a preventable terrorist attack, or a state-sanctioned coup that has since been covered up. If agnotology is ultimately about studying the struggles inherent to the structures of ignorance that lead to, justify and ultimately deny this suffering, we must always bear in mind that there are workers in

organizations trying to speak up, and understand the critical role that they play.

references

Agostinho, D. and N.B Thylstrup (2019) 'If truth was a woman: Leaky infrastructures and the gender politics of truth-telling', *ephemera*, 19(4): 745-775.

Alford, C. F. (2001) *Whistleblowers: Broken lives and organizational power*. Ithaca, NY: Cornell University Press.

Bakken, T. and E.L. Wiik (2017) 'Ignorance and organization studies', *Organization Studies*, 39: 1109–1120.

Butler, J. (1990) *Gender trouble*. London: Routledge.

Butler, J. (1993) *Bodies that matter*. London: Routledge.

Butler, J. (1997) *Excitable speech: A politics of the performative*. London: Routledge.

Butler, J. (2004) *Undoing gender*. London: Routledge.

Butler, J. (2009) *Frames of war*. London: Verso.

Ceva, E. and M. Bocchiola (2019) *Is whistleblowing a duty?*. Cambridge, UK: Polity.

Clonan, T. (2020) 'Surviving whistleblowing in the military- A personal, professional and ethical journey' [https://www.euroisme.eu/images/Documents/OccasionalPapers/Clonan_EuroISMEOccasionalPaper_2_2020.pdf].

Contu, A. (2014) 'Rationality and relationality in the process of whistleblowing: Recasting whistleblowing through readings of Antigone', *Journal of Management Inquiry*, 2: 393-406.

Devine, T. and T. Maassarani (2011) *The corporate whistleblower's survival guide*. Oakland: Berrett-Koehler.

Flyvbjerg, B (2006) 'Five misunderstandings about case study research', *Qualitative Inquiry*, 12: 219–45.

Fotaki, M. and N. Harding (2018) *Gender and the organization: Women at work in the 21st century*. London: Routledge.

Foucault, M. (1990) *The history of sexuality, Vol. I: An introduction*. London: Penguin.

Gardner, L. (2016) *The war on leakers*. New York: The New Press.

Gurman, H. and K. Mistry (2020) 'The paradox of national security whistleblowing: locating and framing a history of the phenomenon', in K. Mistry and H. Gurman (eds.) *Whistleblowing nation*. New York: Colombia University Press.

Gurman, H. (2020) 'Unfit to print: The press and the Contragate whistleblowers', in K. Mistry and H. Gurman (eds.) *Whistleblowing nation*. New York: Colombia University Press.

Haberman, M (2020) 'Insurer drops whistle-blower lawyer, citing high-profile work', *New York Times*, August 24.

Harding N., J. Ford and M. Fotaki (2013) 'Is the 'F'-word still dirty? A past, present and future of/for feminist and gender studies in Organization', *Organization,* 20(1): 51–65.

Harford, T. (2017) 'The problem with facts', *FT Adviser,* March 9th 2017.

Heinrichs, R., B. Loacker and R. Weiskopf (2019) 'The ethico-politics of whistleblowing: Mediated truth-telling in digital cultures', *ephemera: theory and politics in organization*, 19(4): 671-696.

IBA (2021) 'Are whistleblowing laws working? A global study of whistleblower protection litigation' [https://www.ibanet.org/article/EE76121D-1282-4A2E-946C-E2E059DD63DA].

Immerman, R. (2020) 'From the mundane to the absurd: The advent and evolution of prepublication review', in K. Mistry and H. Gurman (eds.) *Whistleblowing nation*. New York: Colombia University Press.

Jones, M. (2020) 'Creating uncertainty, casting doubt: U.S. intelligence leaks from reform to spyware for sale', in K. Mistry & H. Gurman (eds.) *Whistleblowing nation*. New York: Colombia University Press.

Kenny, K. (2018) 'Censored: Whistleblowers and impossible speech', *Human Relations*, 71(8): 1025-48.

Kenny, K. (2019) *Whistleblowing: Toward a new theory*. Cambridge: Harvard University Press.

Kenny, K. and Fotaki, M. (2021) The costs and labour of whistleblowing: Bodily vulnerability and post-disclosure survival, *Journal of Business Ethics*. DOI: 10.1007/s10551-021-05012-x

Kenny K., M. Fotaki and S. Scriver (2019) 'Mental health as a weapon: Whistleblower retaliation and normative violence', *Journal of Business Ethics*, 160(3): 801–815.

Khoo, S. (2020) 'Pandemic ignorance and the "worlds" of development', in P. Carmody, G. McCann, C. O'Halloran and C. Collera (eds.) *COVID-19 and the global south – Impacts and responses*. Bristol: Policy Press.

Lebovic, S. (2020) 'From censorship to classification: The evolution of the Espionage Act', in K. Mistry and H. Gurman (eds.) *Whistleblowing nation*. New York: Colombia University Press.

Maxwell, L. (2020) 'Celebrity hero: Daniel Ellsberg and the forging of whistleblower masculinity', in K. Mistry and H. Gurman (eds.) *Whistleblowing nation*. New York: Colombia University Press.

McGoey, L. (2019) *The unknowers: How strategic ignorance rules the world*. London: Zedbooks.

Melley, T. (2020) 'The public sphere hero: Representations of whistleblowing in U.S. culture', in K. Mistry and H. Gurman (eds.) *Whistleblowing nation*. New York: Colombia University Press.

Miethe, D. (1999) *Whistleblowing at work: Tough choices in exposing fraud, waste and abuse on the job*. Boulde, CO: Westview Press.

Mistry, K. (2020) 'The rise and fall of anti-imperial whistleblowing in the long 1970s', in K. Mistry and H. Gurman (eds.) *Whistleblowing nation*. New York: Colombia University Press.

Mitchell, M. and T. Mitchell (2008) *The spy who tried to stop a war: Katharine Gun and the secret plot to sanction the Iraq invasion*. Sausalito, California: Polipoint Press.

Munro I. (2017) 'Whistleblowing and the politics of truth: mobilizing 'truth games' in the WikiLeaks case', *Human Relations*, 70(5): 519-43.

Munro, I. (2018) 'An interview with Snowden's lawyer Robert Tibbo on whistleblowing, mass surveillance and human rights activism', *Organization*, 25(1): 106–122.

Munro I. (2019) 'An interview with Chelsea Manning's lawyer: Nancy Hollander on human rights and the protection of whistleblowers', *Organization*, 26(2): 276-290.

Nad, V. and N. Colvin (2019) 'Whistleblowing in the European Union: A new directive
to protect citizens, democracy and rule of law'. Blueprint for Free Speech [https://static1.squarespace.com/static/5e249291de6f0056c7b1099b/t/5ed119f3deae375165af97b4/1590761971728/EU_NEW_DIRECTIVE_ANALYSYS_V5_ONLINE.pdf]

Otto, B., J.G. Pors and R. Johnsen (2019) 'Hidden in full view: The organization of public secrecy in Miéville's The city and the city', *Culture and Organization*, 25(2): 91-103.

Perry, N. (1998) 'Indecent exposures: Theorizing whistleblowing' *Organization Studies*, 19(2): 235-257.

Proctor, R. and L. Schiebinger (2008) *Agnotology: The making and unmaking of ignorance*. Chicago: University of Chicago Press.

Pullen. A. (2006) 'Gendering the research self: Social practice and corporeal multiplicity in the writing of organizational research', *Gender, Work & Organization*, 13(3): 277-298.

Riach K, N. Rumens and M. Tyler (2016) 'Towards a Butlerian methodology: Undoing organizational performativity through anti-narrative research', *Human Relations*, 69(11): 2069–2089.

Snowden, E. (2019) *Permanent record*. London: Macmillan.

Terracol, M. (2019) 'Building on the EU directive for whistleblower protection, Transparency International Position paper' [https://images.transparencycdn.org/images/2019_EU_whistleblowing_EN.pdf].

Tsahuridu, E. E. and W. Vandekerckhove (2008) 'Organisational whistleblowing policies: Making employees responsible?', *Journal of Business Ethics*, 82: 107-118.

Vandekerckhove, W. and E. Tsahuridu (2010) 'Risky rescues and the duty to blow the whistle', *Journal of Business Ethics*, 97: 365-380.

Varman, R. and I. Al-Amoudi (2016) 'Accumulation through derealization: How corporate violence remains unchecked', *Human Relations,* 69(10): 1909-35.

Varon, J. (2020) 'Winter soldiers of the dark side: CIA whistleblowers and national security dissent', in K. Mistry and H. Gurman (eds.) *Whistleblowing nation*. New York: Colombia University Press.

Weiskopf, R. and Y. Tobias-Miersch (2016) 'Whistleblowing, parrhesia and the contestation of truth in the workplace', *Organization Studies*, 37(11): 1621-40.

Weiskopf R. (2021) 'Dis/organising visibilities: Governmentalisation and counter-transparency', *Organization*, doi:10.1177/1350508421995751

the author

Kate Kenny is full Professor of Business and Society at NUI Galway. She has held research fellowships at the Edmond J. Safra Lab at Harvard University and Cambridge's Judge Business School. Professor Kenny's work has been published in *ephemera, Organization Studies, Organization, Gender Work and Organization, ephemera* and *Human Relations* among other journals. Her books include *Whistleblowing: Toward a new theory* (Harvard University Press, 2019), *The Whistleblowing Guide* (Wiley Business, 2019, with W. Vandekerckhove and M. Fotaki), *Understanding Identity and Organizations* (Sage 2011, with A. Whittle and H. Willmott), and *Affect at Work: The Psychosocial and Organization Studies* (Palgrave 2014, with M. Fotaki). Professor Kenny serves on the editorial boards of *Human Relations, Organization,* and *Organization Studies.*
Email: kate.kenny@nuigalway.ie