



Cruel fairy tales

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review of

Kenny, K. (2019) *Whistleblowing: Toward a new theory*. Cambridge, MA and London: Harvard University Press. (HC, pp. 296, £25.95, ISBN 9780674975798).

Introduction

Imagine this: A laboratory technician working on an oilrig contacts the national *Environmental Protection Agency* (EPA), claiming that the oil company she works for is encouraging her colleagues and herself to manipulate with measurements of oil seeping into the sea around the rigs. Before that, she has done everything in her power to make her bosses within the organization listen, but with no luck. What happens? The EPA passes her full name on to the oil company, warning them that a bad press story may be under way. She is transferred away from her colleagues she has worked with for 12 years. On the new rig, she is given less challenging tasks and is denied a raise and a bonus, because as she is told, she has failed to 'live up to the company's values'. Shortly thereafter, she quits her job. She cannot find a similar job in the trade. She suffers from stress, goes on sick leave, and isolates herself. Publicly, she's known as a whistleblower. Personally, she just feels like a failure.

Sounds like a fairy tale? Kate Kenny, in her recent book *Whistleblowing: Toward a new theory* (2019), would think so. As cruel as fairy tales may be (in Grimm's version of *Cinderella*, for example, the stepsisters show up at Cinderella's wedding, only to have two birds come and pluck their eyes out. The End.), they mostly end well for the protagonists. Not Kenny's whistleblowing fairy tales. In

fact, they read more like personal tragedies or horror stories. In spite of the heroic image that the public often has of them, whistleblowers tend to be ostracized, bullied, persecuted and publicly smeared. They tend to lose not only their jobs, but a steady income and sometimes their families. They suffer from the repercussions; stress, depression and anxiety disorders are more the rule than the exception. What is more, even if they appear to have higher moral standards than the people around them, they seldomly *choose* to become whistleblowers. The subject position is just the last thing left for them to occupy. With the many illustrative stories that she analyzes, mainly with the global financial industry as the empirical focus, Kenny's book is for those of us who did not know – or do not want to know, because ignorance is often so much easier. And it is for them, whose suffering cannot find a place to be uttered, neither in the organizational, nor in the public discourse.

Drawing on the work of Judith Butler and Michel Foucault, the book offers an original conceptual framework seeking to understand whistleblowing, not as an individual act of truth-telling, but as a collective process within organizations and in public discourse. It serves as a corrective to the common misunderstanding of the whistleblower as an individual hero or heroine, whose actions are simple revelations of higher moral truths, recognizable by everyone, focusing instead on the fact that many whistleblowers are simply ignored, never taken seriously and even punished for their deeds, while the guilty go unpunished. In this manner, it turns away from whistleblowing as the simple revelation of matters of fact, and towards the affective, political and power-oriented struggles within what Bruno Latour (2004) has called 'matters of concern' – gatherings of stakeholders around truths that have cracked open and have become unsettled. A major contribution of the book – and indeed of Kenny's 'new theory of whistleblowing' – is that it moves beyond the analysis of the organizational dynamics of whistleblowing and towards a more encompassing view of the complicity that other spheres of society have in creating what we think of as 'the whistleblower'. It breathes life into this title as a subject position by problematizing it as a badge of honor, showing instead the collective struggles which brings it into existence.

Illegible speech

Nietzsche's parable 'The madman' from *The gay science* (1887/2001) may very well be the first great text about whistleblowing, even if his is of the more cosmic kind, and in light of Kenny's book it remains an important one. Here we are told about a madman, who 'in the bright morning lit a lantern and ran around the marketplace crying incessantly, "I'm looking for God, I'm looking for God!"' (Nietzsche, 1887/2001: 119). The people standing around react with laughter and

nervous sarcasm, like most of us would if we were surprised on our quotidian rides to work by some poor soul who starts speaking loudly to himself (or even worse, to us). They *know* already. God is dead. So it goes. But this reaction only serves to confirm his insanity. Now he jumps in among them with piercing eyes and literally starts screaming murder.

Nietzsche's text is not about revelation; or if it is about revelation it is, as Susana Draper (2012: 142) puts it, about 'the disclosure of what was hidden but not unknown ... not something new but something that should have stayed removed ... in order for life ... to continue in peace'. In other words, the insanity of Nietzsche's madman should not be attributed to his revelation of some secret, which has been kept from everyone. With his lit lamp in broad daylight, he is conveying something that people already know. He is not revealing a new truth. Far more, what makes his speech appear psychotic to his audience is that it disturbs and unsettles the harmless nature of what they think of as true, of what they think they know there. When finally, he realizes that he is not getting the reaction he had hoped for, he throws down his lamp in dismay. 'I come too early', he says, 'my time is not yet' (Nietzsche, 1887/2001: 119). A whistleblower is not something that one is; it is not even something that one chooses to be. Rather, as Nietzsche is probably the first to point out, it is something that one *becomes* when the time is right. Until then, there is just psychotic speech.

One focus of Kenny's theory is the collective process this involves, and the many internal tensions complicit in it, implicating a number of stakeholders, from colleagues in the organization, over the press and the public, to the legal system. The time of the whistleblower is rarely the same for all of them. The conflicts this elicits emerge around the classification of whistleblowers' statements as what she terms *impossible speech* and the manner in which such classification is used to justify retaliation and violence against them [104]. Olivia Greene was a senior officer at one of Ireland's largest lending institutions, *Irish Nationwide Building Society* (INBS), who disclosed corruption at her organization. After witnessing against her boss, the charismatic and powerful Michael Fingleton, who had grown the building society from a tiny organization, she became known in the public as the INBS whistleblower. Following the trial (she remained at the bank for six months before finally quitting), she was bullied, as Kenny puts it, in 'ways more suited to a children's playground than a professional workplace setting including physical aggression' [106]. The bullying ranged from outright petty acts, like having a door literally slammed in the face, or having all her document swept of her desk in front of everybody, to more serious accusations of poor work practice and being practically demoted:

I was watched, stripped of everything, stripped of a job, stripped of any power. ... I couldn't sign things off anymore. I couldn't agree [approve] a loan, couldn't decline a loan; I couldn't give a party release. ... I could do absolutely nothing. And that's what they wanted me doing. I had to turn up and be watched and scrutinized. [108]

How could it come to this? The extant whistleblowing literature has some degree of explanation. Retaliation occurs because the whistleblower poses a threat to the normative system in place in the organization. The more the wrongdoing is related to normal, everyday practices, the more aggressive the punishment tends to be. However, Kenny argues, this does not account for the disproportionate and extreme nature of the response. In Olivia Greene's case, the violence called forth is more than can be represented by retaliation as a rational, strategic response. Much more, it appears to be motivated by a more deeply seated and largely irrational need to defend the organizational structures that her calling them out appear to threaten.

Drawing on the work of Erving Goffman and Judith Butler, Kenny's suggestion is that the violent response to the actions of the whistleblower should be interpreted as a reaction to the impossibility of her statements within the strong norms of the organization. The real power of censorship comes through the manner in which it regulates recognition, granting or denying subjecthood. In other words, it lies in the boundaries that it creates in which some kinds of speech are considered valid and others are ignored. In this light, coherent subjects emerge as a result of acceptable utterances, whereas those who do not fulfill the criteria are excluded from viability. Like those of Nietzsche's madman, Olivia Greene's statements are considered 'impossible' in terms of the normative framework within which they appear. They are instances of 'quasi psychotic speech' [115], which are destined to remain unheard and demeaned. Likewise, those engaging in such impossible speech are not even to be considered subjects, but remain subhuman. Viewed in this manner, the whistleblower is no longer simply a transgressive employee, who needs to be shown her place, she is, as Kenny puts it, 'a fully impossible being' [113].

Affective recognition

In his novel *The city and the city* (2009), China Miéville takes this logic to the extreme (Otto et al., 2019). The main protagonist detective Borlú is a police man in the city of Beszel, but his institutional role – his whole existence, in fact – is also curiously related to and premised by the city of Ul Qoma. The two cities co-exist in physical space, but are two distinct entities with carefully policed borders. Consequently, the citizens of the two cities constantly have to 'unsee', 'unnotice',

‘unhear’ and physically avoid bumping into people or things from the other city. The social and political arrangement of the two cities is thus conditioned by the manner in which their citizens deny the fact that people with different values and normative standards occupy the same topographical space, and are intrinsically and intimately linked with each other. Miéville’s literary experiment explores the social aspects of normative systems, revealing how they ultimately constitute organizational processes and illustrating the minutiae, the affective and embodied ways in which people deal with and perform the co-existence of two or multiple realities by – in the words of Miéville – ‘unseeing’ its contradictions. Like in the case above, the citizens of the ‘other’ city are fully impossible beings, who nonetheless have impact on how the co-existence of the two organizational realities is collectively constituted.

One of the central arguments in Kenny’s theory of whistleblowing – and one that makes the book an important and valuable contribution to the field – is that the whistleblower is more than herself; that she functions as an affective and ekstatic subject constituted in and through elements that are commonly thought to be outside the self, including social norms. For good and for bad, she is constituted by what Kenny, drawing on Butler, terms ‘affective recognition’ [32]. Based on the idea that the desire for recognition, which is psychically invested, largely takes place unconsciously and precognitively, the term represents an account of the subject position of ‘the whistleblower’ as not separate, nor autonomous from others, but instead radically social and crisscrossed with desires for subjection to powerful discourses. As Kenny states, the notion of affective recognition as an analytic category, allows us to ‘retain a focus on what is happening at the wider level of social structures and institutions while we also examine what is taking place at the micro level of day-to-day life’ [54]. This adds a perspective to whistleblowing research that considers human beings as desiring, including the contradictions and complexities, with which they are embedded in the social structures that (co)constitute them. The lack of affective recognition by others can lead to exclusion and rejection, while it can grant self-affirming legitimacy in the symbolic order, when it is given.

Martin Woods was a whistleblower, who at his bank Wachovia, found himself in the middle of the flows of cash that feed the existence of drug cartels. When he started asking questions about the dodgy transfer of billions of dollars into the Miami branch of the bank, he found himself in real trouble. In reality he was only doing the job to which he was hired; but he found himself accused of leaving the bank open to potential regulatory jeopardy and suffered many of the same retaliation strategies that other whistleblowers experience, including investigations that targeted him instead of the wrongdoing and being chided for minor infringements. Ultimately, like many others, he also suffered the mental

consequences of the stress and pressure he was under. Yet, as Kenny illustrates, he found networks to lean on that could recognize his actions for what they were, outside of his isolated position in Wachovia bank. Being a former police officer, he found former colleagues who supported him, extending their comradeship and friendship even in little ways that made a difference: encouraging emails, phone calls, a pat on the back. Someone even sent him a silver whistle in the post. He also found a group of whistleblowers outside the organization that he felt privileged to be a part of. In the whistleblower literature the nature of such attachments is rarely discussed.

To Kenny, this suggests that the empirical research on whistleblowing ought to be more sensitive to the display of affects and emotions, because such displays and the relationships they emerge in can help us shed light on the variety of attachments people who speak up develop to survive [193]. The strength of her book is exactly this sensitivity. It helps us to go beyond the black-and-white positions of the whistleblower as either extensively good or bad and towards a more nuanced understanding of these people as human beings. It may just be what is needed to escape the cruelty of fairy tales.

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