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Whistleblowing and Hierarchical Bureaucracy: Re-Thinking the Relationship

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1. Introductory Remarks

In recent decades, empirical research work on whistleblowers has far outstripped theoretical work on understanding the relationship between organisations and whistleblowing. Major empirical studies have contributed to a much better understanding of how and why employees report wrongdoing, how and why the outcomes of reporting vary, and why some whistleblowing laws and policies are more effective than others[1]. These studies tend to focus on individuals – employees, whistleblowers, non-reporters and managers – rather than organisations. The research window into the organisations within which whistleblowers operate is almost always organisation members' responses to survey questionnaires. As Terry Dworkin and Melissa Baucus, among others, have observed, these questionnaire responses can only provide limited information about organisations and their whistleblowing processes[2]. Survey studies typically repeat a few organisational measures – size, the length and accessibility of whistleblowing policies, the presence or absence of specific reporting channels and of dedicated investigation and

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[1] See, for example, A. Brown (ed.), *Whistleblowing in the Australian Public Sector*, ANU E Press, Canberra, 2008; M. Miceli, J. Near, T. Dworkin, *Whistle-Blowing in Organizations*, Routledge, New York, 2008.
[2] T. Dworkin, M. Baucus, *Internal v External Whistleblowers: A Comparison of Whistleblowing Processes*, in *Journal of Business Ethics*, 1998, n. 17, 1282-1283.

support officers – that were introduced in the early 1980s[3]. These items provide useful information but they give limited purchase on broad questions about whether some types of organisational structures and cultures are more conducive to good whistleblowing outcomes than others. Where accounts of empirical whistleblower studies address these broad questions, they do so in a brief and speculative fashion[4].

The gap left by the absence of serious and systematic study of the role that organisational characteristics play in whistleblowing has been filled by the oft-repeated claim that the problem for whistleblowing and whistleblowers is "bureaucracy" or "bureaucratic hierarchy". The claim that bureaucracy is bad for whistleblowing has largely been taken for granted, as has its implicit corollary that different organisational forms of some kind would produce better whistleblowing processes and outcomes.

This article challenges the claim that bureaucracy and whistleblowing are inevitably opposed and argues that we need to think more rigorously about the relationship between different organisational forms and whistleblowing. It begins by outlining the critique of bureaucratic organisation found in the whistleblowing literature. It identifies three problems with this critique. First, bureaucracy is a persistent and pervasive form of organisation. If bureaucracy and successful whistleblowing are mutually exclusive, then the prospects for whistleblowing as a way of combatting corruption and promoting integrity seem remote. Second, when bureaucratic organisation is examined systematically, its core characteristics include many features that promote and support whistleblowing, along with others that hinder it. Third, this mixed result for bureaucracy is also found in other types of organisation. Rather than being unquestionably better alternatives to bureaucracy for whistleblowers, the other available modes of organisation present problems of their own. This point is developed systematically using the grid-group framework drawn from the work of Mary Douglas. The paper concludes that more research is needed to test arguments about the advantages and disadvantages for whistleblowing of different organizational forms.

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[3] See, for example, M. Miceli, J. Near, *Characteristics of Organizational Climate and Perceived Wrongdoing Associated with Whistle-Blowing Decisions*, in *Personnel Psychology*, 1985, n. 38, 525-544.

[4] See, for example, J. Near, M. Miceli, *Wrongdoing, Whistle-Blowing, and Retaliation in the U.S. Government: What Have Researchers Learned from the Merit Protection Board (MSPB) Survey Results?*, in *Review of Public Personnel Administration*, 2008, n. 28, 277.

2. The Critique of Bureaucracy

The critique of bureaucracy in the whistleblowing literature began with the emergence in the 1970s of the simple dichotomy of the good whistleblower versus the evil organisation. In this critique, organisations are commonly personified as unitary actors who act on a range of negative motives. In a recent example, Tina Uys writes:

> Organizations typically regard whistleblowing as a form of betrayal. They believe that whistleblowing is a deviant act, which threatens the profitability of the organization and tarnishes its reputation. They therefore tend to deal with whistleblowers as traitors by punishing those who engage in this kind of activity[5].

In some of this literature, the nature of the organisation does not seem to matter. To protect themselves, organisations of whatever type respond in the same negative way toward whistleblowing and whistleblowers[6]. Typically, however, bureaucracy is explicitly or implicitly identified as the specific organisational source of whistleblowers' tribulations. Three of the many available examples are presented here to illustrate this point.

The first is the widely cited American whistleblowing study by Myron Peretz Glazer and Penina Migdal Glazer, who characterise whistleblowers' relationships with their organisations as follows:

> ethical resisters were considered a danger by the organization for which they worked. By protesting internally and then going to the Congress or the press, these employees revealed that their principles commanded their loyalty far more strongly than did management. From their superiors' perspective, the resisters had not uncovered serious breaches of policy but rather had involved themselves in actions against the very bureaucratic hierarchy that had hired them and provided good salaries and the accoutrements of a respected position. … In seeking to regain the initiative by totally rejecting the allegations and undermining the resisters' credibility, managers used the formidable power available to them[7].

Whistleblowers who pursue their concerns suffer from a series of escalating responses that reveal bureaucracies in liberal democracies to be no different from those in Soviet Russia:

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[5] T. Uys, *Rational Loyalty and Whistleblowing: The South African Context*, in *Current Sociology*, 2008, n. 56, 905.
[6] See, for example, C. Alford, *Whistleblowers: Broken Lives and Organizational Power*, Cornell University Press, Ithaca, 2001, 98.
[7] M. Glazer, P. Glazer, *The Whistleblowers*, Basic Books, New York, 1989, 133.

[The whistleblowers' wife] was reacting against a powerful bureaucracy which could exile her husband, punish him with no work, seek his dismissal because their efforts had led to his collapse. The abuse of policy troubled her deeply. Like the Soviet government, the U.S. federal bureaucracy could, without the least human compassion, effectively label a dissenter a danger who had to be removed for the sake of government safety[8].

The themes of inevitable and one-sided conflict between "ethical resisters" and "bureaucratic hierarchy" are firmly established in passages such as these.

The second example closely follows the approach of the first. Brian Martin, an Australian whistleblowing scholar and activist, writing with Will Rivkin, begins his advice to whistleblowers from the starting point of an unavoidable hierarchical conflict between "dissenters" and their "managers" and "employers". Martin and Rivkin also characterise bureaucracy in general as "analogous to an authoritarian state". "In a typical bureaucracy", they argue, "control is exercised by elites through a hierarchy, with little or no popular participation in organizational governance"[9]. Later, they write that "From the point of view of bureaucracies as authoritarian political systems, a whistleblower is analogous to a lone dissident openly opposing a repressive regime, as in the case of some Soviet dissidents"[10]. Individual managers may try to act well in response to whistleblowing; however, the interests of the organisation will push those managers to reject whistleblowers' reports and punish whistleblowers. Hierarchical power relations give them the means to achieve this. The key difference between bureaucracy and authoritarian states is that the former cannot usually resort to physical violence[11].

In the final example, the American whistleblowing scholar Robert Jackall identifies five features of contemporary organisations that work to prevent successful internal reporting. First, a "fantastically complicated division of authority" makes it "difficult to ascertain responsibility for

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[8] Glazer and Glazer, *op cit.*, 158.

[9] B. Martin, and W. Rifkin, *The Dynamics of Employee Dissent: Whistleblower and Organizational Jiu-Jitsu*, in *Public Organization Review: A Global Journal*, 2004, n. 4, 222.

[10] Martin and Rivkin, *op cit.*, 231.

[11] Martin and Rivkin, *op cit.*, 223. See also A. Evans, *Dealing with Dissent: Whistleblowing, Egalitarianism and the Republic of the Firm*, *Innovation: The European Journal of Social Science Research*, 2008, vol. 21, n. 3, 272. Alford, *op cit*, 134, notes the common visibility of guns when whistleblowers are removed from their places of work.

wrongdoing in large bureaucracies"[12]. Second, organisational codes of ethics, rather than providing clear ethical guidance, are written in such a way as to allow the "constant doublethink, doublespeak, backing and filling, and systematic obfuscation" necessary to protect the organisation's interests[13]. Third, "rules of etiquette and protocol" prevent subordinates who try to report wrongdoing from being heard[14]. Fourth, social networks within hierarchies protect wrongdoers: "When one chooses to point out the wrongdoing of colleagues, or especially that of superiors, one inevitably jars these intricate affiliations…". Support is unlikely from colleagues who will not want to cause trouble because they have succumbed to "the time-serving laziness endemic in all bureaucracies"[15]. Fifth, organisations operate within a wider society whose own ethical standards are confused[16].

If bureaucratic hierarchy prevents successful whistleblowing, the solution must be to find non-bureaucratic alternatives. After presenting the conventional critique of bureaucracy and whistleblowing, Stewart Clegg concludes that "democratic, participative organizations … tend to function better in response to criticism than do those that are hierarchical, authoritarian systems…"[17]. He provides no evidence for this claim in relation to whistleblowing, perhaps because there is none available. In a 2008 summary of decades of empirical findings on whistleblowing in the United States public sector, Marcia Miceli and Janet Near also speculate that "[o]rganizations that are less rigid and more innovative (e.g., learning organizations) may be less threatened by whistle-blowers and more willing to cease and desist from wrongdoing". The evidence to support this theory is, however, missing:

Because bureaucracy … is built on the foundational premise of managerial authority to make decisions, organizations may still resist tolerating or even encouraging dissent. Despite frequent calls for greater organizational flexibility, openness to dissent, and new ideas, there is little empirical

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[12] R. Jackall, *Whistleblowing and Its Quandaries*, in *The Georgetown Journal of Legal Ethics*, 2007, vol. 20, n. 4, 1133.

[13] Jackall, *op cit.*, 1133-1134.

[14] Jackall, *op cit.*, 1134-1135.

[15] Jackall, *op cit.*, 1135.

[16] Jackall, *op cit.*, 1135-1136.

[17] S. Clegg, *Power Relations and the Constitution of the Resistant Subject*, in J. Jermier, D. Knights and W. Nord (eds.), *Resistance and Power in Organizations*, Routledge, London, 1994, 314.

research documenting what happens to organization structure and performance if dissent is permitted[18].

In another recent overview of whistleblowing studies, the same authors acknowledge that, in the absence of evidence, it is hard to say much about the interactions between organisational type and successful whistleblowing[19]. The idea that whistleblowing will be improved once bureaucracy is overcome remains a seductive one not because of a body of evidence but because the case against bureaucracy seems so damning.

3. Problems in the Critique of Bureaucracy

The critique of bureaucracy that characterises much of the whistleblowing literature draws on wider and long-standing criticisms of bureaucracy within the public management literature. In turn, bureaucracy has been defended in general terms by scholars such as Charles Goodsell and Paul du Gay[20]. This article will not repeat the larger defence of bureaucracy against its critics. Instead, it focuses on three problems with the critique as it relates specifically to whistleblowing.

4. The Resilience of Bureaucracy

The first problem stems from the fact that bureaucracy is a resilient and ubiquitous form of organisation. As Kenneth J. Meier and Gregory C. Hill point out, "bureaucracy will not only survive in the twenty-first century but will flourish"[21]. Despite the long-standing criticisms of bureaucratic hierarchy, widely applicable organisational alternatives have not emerged. If bureaucracy crushes whistleblowers, and there are no viable alternatives to bureaucracy, then encouraging organisation members to blow the

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[18] Near and Miceli, *op cit.*, 277.

[19] Miceli, Near, Dworkin, *op cit.*, 119-120. Their comments echo the summary of the whistleblowing literature that they presented in the early 1990s. M. Miceli and J. Near, *Blowing the Whistle: The Organizational and Legal Implications for Companies and Employees*, Lexington, New York, 1992, 216-217.

[20] C. Goodsell, *The Case for Bureaucracy*, CQ Press, Washington, fourth edition, 2004; P. du Gay, *In Praise of Bureaucracy*, SAGE, London, 2000; P. du Gay (ed.), *The Values of Bureaucracy*, Oxford University Press, Oxford, 2005.

[21] K. Meier, G. Hill, *Bureaucracy in the Twenty-First Century*, in E. Ferlie, L. Lynn Jr and C. Pollitt (eds.), *The Oxford Handbook of Public Management*, Oxford University Press, Oxford, 2005, 51.

whistle seems self-defeating. Philip H. Jos made a similar point two decades ago with regard to American public sector organisations:

> it is both unwise and unfair to rely on whistleblowing as a palliative for an ailing set of accountability mechanisms. The potential costs to the whistleblower, the organization, and to the federal service are quite high. Whisteblowing may reinforce, or at least do little to mitigate, the tendency of after-the–fact, postdecisional accountability to engender rigidity, a preoccupation with hierarchical control, and a search for rationalizations for past mistakes – precisely those reactions that undermine the hope that organizations will be more sensitive to future ethical problems and take ethical issues seriously[22].

Given the continuing spread of bureaucratic hierarchy, the apparent incompatibility of whistleblowing and bureaucracy raises serious ethical and practical questions about whether whistleblowing should be promoted as a response to wrongdoing.

4. Bureaucracy Has Positive Features for Whistleblowers

The second problem with the critique of bureaucracy in the whistleblowing literature is that it fails to recognise that the core features of bureaucracy are positive as well as negative for whistleblowing. The classical features of bureaucracy, systematically described by Max Weber[23], are set out in Table 1, along with the positive implications or effects of these features for whistleblowing. The point of Table 1 is not to imply that bureaucratic forms of organisations contain no negative dangers for whistleblowers (see below) but to emphasis the often-overlooked positive consequences of bureaucracy for whistleblowers.

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[22] Philip H. Jos, *The Nature and Limits of the Whistleblower's Contribution to Administrative Responsibility*, *American Review of Public Administration*, 1991, vol. 21, n. 2, 113.
[23] M. Weber, *Economy and Society*, in G. Roth and C. Wittich, Vol. 2, University of California Press, Berkeley, 1978, 956-963.

Table No. 1 – Weber's Features of Hierarchical Bureaucracy and Their Positive Implications for Whistleblowing

Bureaucratic Features	Positive Implications for Whistleblowing
Laws and regulations set fixed areas of an organisation's jurisdiction.	Whistleblowers have legal standards against which to judge an organisation's actions.
Activities of organisational members are defined by established official duties.	Whistleblowers have legal standards against which to judge an organisational member's actions.
Official positions are the primary full-time responsibility of their incumbents.	Conflicts of interest and role are eliminated or reduced for members of the organisation, including those who receive whistleblowing reports.
Members of the organisation form status groups with a shared sense of professional vocation.	Whistleblowers can expect support from peers for the values of their shared vocation.
Hierarchies of relationship between officials, including the possibility of appeals from lower to higher authority.	Whistleblowers have clear lines of accountability for reporting wrongdoing.
Maintenance of files that act as a record of actions and decisions.	Records exist of the actions or decisions at issue, the whistleblowers' report and the organisation's responses.
Specialist training of officials.	Officials trained in ethical awareness and obligations to report wrongdoing and deal with wrongdoing reports. Specialist officials trained to handle whistleblowing cases.
Organisations governed by stable comprehensive knowable rules.	The rules of the organisation regarding wrongdoing and its reporting are identifiable to organisational members and external observers.

Source: Author's Own Elaboration

The argument here is not that a Weberian ideal type bureaucracy necessitates recognition of a role for whistleblowers. Not all bureaucracies are the same and history shows that it is entirely possible for bureaucratic hierarchies to operate without any provision for whistleblowing and to operate in societies that do not value whistleblowing. My contention is that where societies do value whistleblowing, it is compatible with, and indeed well supported by, the key features of bureaucratic hierarchy set out in Table No. 1.

A bureaucracy that works as it should rests on laws, regulations and rules against which the actions of an organisation as a whole and the members who hold roles within it can be judged. The explicit rules that are characteristic of bureaucracy provide certainty for potential whistleblowers about whether or not an organisation or any of its members have transgressed their legitimate roles and committed wrongdoing. The same rules reduce the ability of wrongdoers to defend and rationalise their actions by an ambiguous or contested standard of individual or group morality. They present managers and others who receive reports of wrongdoing with explicit measures against which to assess those reports. Full-time commitment to their official positions within a bureaucracy reduces the likelihood that organisational members will develop conflicts of interest through membership of other organisations with different goals, rules and ethics. A common sense of vocation among organisational members will encourage peer support for those who act to uphold the organisation's purpose and rules.

A well-functioning bureaucracy also provides advantages in the handling of whistleblowing reports. It contains clear lines of hierarchical management through which whistleblowers are authorised to report wrongdoing and those who receive reports of wrongdoing are held accountable for their responses. These whistleblowing procedures will be supported by a trail of recorded decisions and actions that can be referred to later if necessary. The specialisation characteristic of bureaucracies allows them to develop specific roles, filled by trained professionals, for handling whistleblowers' reports. The stable, knowable rules of a bureaucratic organisation allow, where necessary, external audit and watchdog bodies to judge whether the whistleblowing report has been handled properly.

Systematic empirical studies provide support for the claim that the features of bureaucracy, properly applied, are conducive to successful whistleblowing. The "Whistling While They Work" research on the Australian public sector found, for example, that whistleblowing was more likely and more successful where reporting legislation and

procedures existed and were known to employees, where immediate managers and supervisors dealt with reports of wrongdoing effectively and where investigators and case-handlers had specific professional training[24].

When the characteristics of bureaucracy are viewed against the experiences of whistleblowers recorded in the anti-bureaucratic whistleblowing literature, it becomes clear that there is often something wrong with ascribing those whistleblowers' problems to bureaucracy. A common theme in the stories of suffering whistleblowers, albeit one that has gone largely unrecognised in the anti-bureaucratic literature, is that the managers to whom whistleblowers report often fail to follow proper bureaucratic processes. Instead, those managers pay little or no regard to their formal responsibilities, treat their organisational units as "fiefdoms" and wield power according to their "personal" interests and values[25]. Viewing their positions in this "feudal" fashion[26], managers fail to adopt the ethos demanded of those working within bureaucratic organisations. Paul du Gay explains this bureaucratic ethos as follows:

> The procedural, technical and hierarchical organization of the bureau provides the ethical conditions for a particular comportment of the person. The ethical attributes of the "good bureaucrat" – strict adherence to procedure, commitment to the purposes of the office, abnegation of personal moral enthusiasms, acceptance of sub- and super-ordination, *espirit de corps* and so forth – represent a moral achievement having to reach a level of competence in a difficult ethical milieu and practice[27].

The problems encountered by whistleblowers often stem from too little managerial commitment to bureaucracy, rather than too much. Bureaucratic hierarchy brings with it difficulties as well as advantages for whistleblowers. Bureaucratic rules cannot, for example, entirely eliminate discretionary power[28]. Discretion is allowed within bureaucratic rules for very good reasons; however, it can be used by officials to disguise or excuse their wrongdoing. It can also be used to mistreat whistleblowers. Where managers have discretionary power over the allocation of tasks,

[24] Brown, *op cit*.

[25] Alford, *op cit.*, 100-103. Alford argues that managerial misuse of official power for private ends is an unavoidable characteristic of organisations.

[26] Alford, *op cit*.

[27] Du Gay, *In Praise of Bureaucracy*, 44.

[28] J. Dobell, *Public Management as Ethics*, in E. Ferlie, L. Lynn Jr, C. Pollitt (eds.), *The Oxford Handbook of Public Management*, Oxford University Press, Oxford, 2005, 161.

whistleblowers can find themselves constantly being assigned dirty, dangerous or monotonous work[29]. The logic of bureaucratic hierarchy provides its own solutions where these sorts of abuses occur, which typically involve more complex policies and rules. This complexity can create pitfalls for whistleblowers and other officials. Whistleblowers may accidentally exclude themselves from legal protection, for example, because they fail to follow the exact processes for reporting that are set out in the law[30].

5. The Problems of Organisational Alternatives to Bureaucracy

The fact that bureaucracy presents challenges as well as opportunities for whistleblowing does not mean that alternative forms of organisation would necessarily provide more assistance to whistleblowers. As was noted above, alternative organisational forms are often thought to be better simply because they are not bureaucracies. This assumption deserves to be tested. All organisational forms involve power relations of some kind. Replacing bureaucracy with other organisational forms will reshape, rather than eliminate, the ways in which power operates for and against whistleblowing.

In the absence of systematic empirical evidence about whistleblowing in different organisational types, a useful way of theoretically testing the likely impact of different organisations on whistleblowing can be found in the anthropologist Mary Douglas's grid-group theory[31], sometimes called cultural theory[32] or neo-Durkheimian theory[33]. Grid-group theorists start from a sceptical position with regard to organisational cultures. They do

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[29] T. Devine, T. Maassarani, *The Corporate Whistleblower's Survival Guide*, Berrett-Koehler, San Francisco, 2011, 19-31.

[30] Australian police whistleblower Peter Fox had this experience in 2013. R. Ackland, Shield Laws Leave Whistleblowers, Reporters on Hook, *Sydney Morning Herald*, 5 April 2013, 33.

[31] M. Douglas, *In the Active Voice*, Routledge and Kegan Paul, London, 1982; M. Douglas, *How Institutions Think*, Syracuse University Press, New York, 1986; M. Douglas, *Natural Symbols*, Routledge, London, 2003.

[32] M. Thompson, R. Ellis and A. Wildavsky, *Cultural Theory*, Westview Press, Boulder, 1990.

[33] D. Leat, K. Seltzer, G. Stoker, *Towards Holistic Governance: The New Reform Agenda*, Palgrave Macmillan, Houndmills, 2002, 82-83. The adjective mostly refers to Emile Durkheim's arguments in *The Division of Labour in Society*, Macmillan, Houndmills, 1984, originally published in 1893.

not assume that there is one best culture. For them, all cultures have weaknesses as well as strengths. As Douglas puts it: "Whatever [culture] is under scrutiny, there is always some trouble lurking there"[34].

Grid-group theory incorporates both the hierarchical organisational culture and its egalitarian alternative discussed earlier in this article. The theory moves beyond this dichotomy to include two further types of organisational culture--individualism and fatalism[35]. These four cultural types are constructed by the two dimensions of grid and group. The grid dimension refers to the strength and extent of rules that govern an individual's actions and identity. The group dimension is the extent to which an individual's actions and identity are determined by "personal", "face-to-face" pressures that come from belonging to a social group. High grid cultures impose explicit and strong rules on individuals that "regulate their interactions, restricting their options". In low grid cultures, individuals have extensive freedom in their interactions with others; the only rules are those necessary for such free interaction[36].

In high group cultures, the boundaries between insiders and outsiders are strong. Membership of a group provides the basis for conducting all aspects of life – residence, work, sharing of resources, recreation, friendships and family relationships. In low group cultures, by contrast, individuals construct their own networks, with no social boundaries or loyalties to impede them[37].

Combining these two dimensions produces four cultural types: hierarchy (high grid-high group); individualism (low grid-low group); egalitarianism (low grid-high group); and fatalism (high grid-low group)[38]. Grid-group theorists claim that these four types cover all the basic possibilities of human social organisation. Douglas makes it clear, however, that the appropriate level of analysis for grid-group theory is not large-scale abstract societies ("Britain", for example) but the specific effects of cultural types on individual "social accounting"; that is, on the ways in

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[34] Douglas, *Active Voice*, 195.

[35] Alternative typologies are available – see, for example, W. Ouchi, *Markets, Bureaucracies, and Clans*, *Administrative Science Quarterly*, 1980, 25(1), 129-141 – however, they are less comprehensive than Douglas's. See M. Douglas, *Risk and Blame*, Routledge, London, 1992, 55-82.

[36] Douglas, *Active Voice*, 192, 201.

[37] Douglas, *Active Voice*, 201-202.

[38] Douglas and other grid-group theorists sometimes discuss a fifth type – the autonomous hermit, characterised by opposition to all the other four types – but this type has little or no relevance to organisations and will not be discussed here. See Douglas, *Active Voice*, 204, 231-238; Thompson *et al.*, *op cit.*, 7-10.

which individuals explain and justify their actions in smaller social units[39]. These smaller social units include African tribal societies but also the many specific public, private and community organisations found in places like Britain[40]. Public management scholars such as Christopher Hood[41], Perri 6 and Gerry Stoker[42], have taken up this idea and mapped the different organisational forms and cultures that occur within contemporary mature capitalist democracies. A basic schema drawn from their work is presented in Table No. 2.

Table No. 2 – The Grid-Group Typology Applied to Contemporary Organisations

Grid	Group	
	Low	High
High	*Fatalism*	*Hierarchy*
	Weak social bonds, low co-operation, members act according to imposed rules and directions from above (e.g. call centres).	Strong social cohesion, members bound by imposed rules and directions from above (e.g. police services).
Low	*Individualism*	*Egalitarianism*
	Weak social cohesion, high individual autonomy with minimal necessary cooperation and rules (e.g. independent contractors).	Strong social cohesion, members act in line with decisions achieved via participatory consensus in name of group (e.g. professional bodies).

Source: Author's Own Elaboration

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[39] Douglas, *Active Voice*, 201.

[40] Douglas, *Natural Symbols*, 92-114; Douglas, *Risk and Blame*, 55-82, 187-207.

[41] C. Hood, *The Art of the State*, Oxford University Press, Oxford, 1998; C. Hood, C. Scott, O. James, G. Jones and T. Travers, *Regulation Inside Government*, Oxford University Press, Oxford, 1999; C. Hood, H. Rothstein and R. Baldwin, *The Government of Risk*, Oxford University Press, Oxford, 2001; C. Hood and M. Lodge, *The Politics of Public Service Bargains*, Oxford University Press, Oxford, 2006.

[42] 6 *et al*, *op cit.*, 72-81; P. 6 and *E. Peck, New Labour's Modernization in the Public Sector: a Neo-Durkheimian Approach and the Case of Mental Health Services*, Public Administration, 2004, vol. 82, n. 1, 83-108; G. Stoker, *Life is a Lottery*, Public Administration, 2002, vol. 80, n. 3, 417-434; G. Stoker, *Transforming Local Governance: From Thatcherism to New Labour*, Palgrave Macmillan, Houndmills, 2004, 70-74.

The hierarchy cell corresponds to the traditional Weberian bureaucracy. Rules and regulations, specialised roles and a chain of command are married to the strong group bonds that develop within a career public service. Individualism is characteristic of the neo-liberal arrangements for the public sector popular from the 1990s. These arrangements weakened both grid and group, through strategies such as contracting out services to competing suppliers and setting targets for public sector managers without specifying how these should be met[43]. Egalitarianism typically marks professionalised institutions, such as hospitals and universities. In these settings, peer expectations provide the standards against which the behaviour of doctors, academics and other professionals in the public sector is justified. Fatalist organisations have hierarchy's rules and command structures but lack social bonds between public sector workers. Fatalism will develop, among other contexts, where organisations employ casual workers in isolation from each other to carry out tightly defined tasks (for example, in telephone call centres).

Table No. 3 – Grid-Group Theory and Integrity Approaches

Grid	Group	
	Low	**High**
High	*Fatalism* Top-down detailed rules enforced by random external audit and investigation.	*Hierarchy* Top-down detailed rules enforced by internal managers and supervisors.
Low	*Individualism* Individuals have discretion to develop their own practices and act responsibly.	*Egalitarianism* Collectively developed expectations about behaviour, negotiated and enforced by peers.

Source: Author's Own Elaboration

Grid-group theory suggests four broad approaches to integrity and ethics within organisations, which are summarised in Table No. 3. The

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[43] Hood *et al.*, *Regulation Inside Government*, 197-198.

hierarchical "compliance" approach to organisational integrity involves top-down rules enforced by supervisors and managers to ensure officials act in accord with ethical standards set for them. It often involves detailed codes of conduct that stipulate expected behaviour, along with education and training to ensure that members of the organisation understand the rules that govern them[44].

The fatalist approach to organisational integrity shares the emphasis on rules found in hierarchy. It aims to prevent group loyalties from blunting the effectiveness of those rules by introducing "contrived randomness" into the oversight of organisational members[45]. This might involve measures such as randomly moving officials through combinations of locations and tasks, to prevent them from developing the sort of close relationships with colleagues that encourage rule-breaking and turning a blind eye. Fatalist approaches emphasise independent oversight by external bodies with the power to initiate random inspections, audits and investigations[46]. As well as dealing with particular cases of wrongdoing, these external bodies may also be authorised to recommend changes to the internal systems and processes of the organisations in their purview. In most advanced capitalist democracies, the last few decades have seen an expansion of external scrutiny and control of public and private sector activity – the so-called "audit explosion" – followed by moves to increase public reporting of information from internal scrutiny and controls – the "audit implosion"[47].

Egalitarian approaches involve organisational members meeting as equals to negotiate agreed expectations about their responsibilities and behaviour. Other stakeholder representatives may also be part of these negotiations. These peers are also responsible for dealing with inappropriate behaviour by officials, a process that again typically occurs through negotiation. This approach is common among professional bodies across the public and private sectors[48].

The individualist approach to organisational integrity leaves individual members to develop and apply their own ethical responses to their organisational roles. Although this approach might appear to fit best with

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[44] J. Rohr, *Ethics for Bureaucrats: An Essay on Law and Values*, second edition, Marcel Dekker, New York, 1989, 60-64.

[45] Hood, *op cit.*, 160.

[46] Hood, *op cit.*, 54.

[47] M. Power, *Organised Uncertainty: Designing a World of Risk Management*, Oxford University Press, Oxford, 2007, 42-53.

[48] Hood *et al*, *Regulation Inside Government*, 86.

the competitive, laissez-faire elements of private sector activity, the public management literature repeatedly points to the need for government officials to exercise discretion where supervision is arms-length and the rules are silent or ambiguous (low grid), especially where those officials are isolated from other colleagues (low group). Classic examples of this are police officers and school teachers working on their own in isolated rural settings. The individualist approach is also valued in the narratives of "exemplary public administrators" who resist both grid and group to act according to their own ethical visions[49].

Grid-group theory suggests that these four organisational cultures will be dynamic, rather than static. As new problems and issues emerge, each organisational type will tend to reinforce its cultural bias. Ethical breaches in hierarchical organisations will lead to the imposition of new, more detailed rules, while the same breaches in fatalist organisations will lead to increased external random auditing[50]. Only a major crisis will lead to deep questioning and reconstituting of the organisation[51].

6. Applying Grid-Group Theory to Whistleblowing

There have been two previous applications of grid-group theory to whistleblowing. In 2008, Anthony J. Evans argued that "… egalitarianism is the only cultural type that faces [sic] the incentives required to blow the whistle"[52]. The "fatalist would keep their head down", the "hierarchist" would be a "team player'", while the individualist would decide the personal rewards of whistleblowing were not worth the costs[53]. Egalitarianism combines:

> two key traits that are required for a whistleblower. Firstly, blowing the whistle requires a degree of empowerment – a willingness to challenge people in authority. This is weak grid. The second key trait is a sense of righteousness – a belief in self-sacrifice for the common good[54].

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[49] T. Cooper and N. Wright (eds.), *Exemplary Public Administrators: Character and Leadership in Government,* Jossey-Bass, San Francisco, 1992.

[50] Douglas, *How Institutions Think*, 92.

[51] Douglas, *Natural Symbols*, 65-66.

[52] Evans, *op cit.*, 271.

[53] Evans, *op cit.*, 270.

[54] Evans, *op cit.*, 270.

Because whistleblowers are egalitarians, hierarchical responses to whistleblowing are "doomed to fail"[55]. The answer lies in replacing hierarchy with egalitarianism[56].

Evans's application of grid-group theory is creative; however, it suffers from two important difficulties. First, Evans's central claim that whistleblowers are (and can only be) egalitarians does not match his own depiction of whistleblowers. He correctly identifies them as low grid but incorrectly claims them as high group. As he describes it, the "common good" for which whistleblowers are prepared to sacrifice themselves develops not through intimate day-to-day relationships with members of their organisations (high group) but from their own personal conceptions of the greater good (low group). Evans expresses this individual morality in terms such as commitment to the whistleblower's "higher moral code", "loyalty to *what [the whistleblowers] deem* to be the principles of the organisation" and "loyalty to *the wider community*"[57]. His whistleblowers are moral individualists committed to their own visions of the common good, rather than egalitarians who draw their morality from understandings developed and shared through interactions with workplace peers.

Second, Evans's focus is primarily on identifying the traits and outlooks of individual whistleblowers, rather than on exploring the organisational cultures in which they find themselves. This is quite a shift from grid-group theory, which begins with the cultural characteristics of groups and expects that these will define the outlooks of group members. As Kim Loyens points out (see below), each of the four cultural types in grid-group theory is capable of producing and dealing with whistleblowing in its own way[58]. Of the four cultural types, the only one that Evans explores is hierarchy. Rather than systematically applying grid-group theory, Evans's arguments largely repeat the now familiar "ethical resister versus bureaucratic hierarchy" trope. He says almost nothing about how individualist and fatalist organisational cultures might respond to whistleblowing. He does briefly sketch some possible ways to promote an egalitarian culture within organisations; however, these proposals form an

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[55] Evans, *op cit.*, 272.

[56] Evans, *op cit.*, 276-277.

[57] Evans, *op cit.*, 270. Emphasis mine.

[58] K. Loyens, *Towards a Custom-Made Whistleblowing Policy. Using Grid-Group Cultural Theory to Match Policy Measures to Different Styles of Peer Reporting*, Journal of Business Ethics, 2013, 114, 239-249.

eclectic list of egalitarian measures that seem designed to enhance, rather than replace, hierarchical organisational structures[59].

Kim Loyens's more recent discussion of grid-group theory and whistleblowing avoids the problems in Evans's approach by methodically applying the theory. In doing so, she identifies different features that support whistleblowing in each of the four organisational cultures: reporting when rules are broken in hierarchical organisations; reporting to protect the group from wrongdoing in egalitarian organisations; reporting for individual benefit in individual organisations; and reporting to try to avoid trouble in fatalistic organisations. Each culture also presents reasons not to blow the whistle: reporting wrongdoing may not be specified as a role duty in a hierarchical organisation; group norms in an egalitarian organisation may prevent members from seeing unethical acts as wrongdoing; members of individualistic organisations may judge the costs of reporting to be higher than the benefits; and those in fatalist organisations may keep their heads down to try to avoid trouble[60].

These arguments do a lot to advance our understanding of how whistleblowing might or might not occur in different organisations. They can be extended by thinking more systematically than Loyens does about the ways in which different organisations are likely to respond to whistleblowing. At this point, it should be noted that Loyens focuses on the apparent tendency of some organisational cultures to produce what might be seen as "bad faith" whistleblowing; for example, the likelihood that whistleblowing in individualist organisations "could become a weapon that is used … to settle a personal score"[61]. The approach in this article, by contrast, is to focus on organisational responses to "good faith" whistleblowing, in which reporting results from an honest belief that wrongdoing has occurred and is not malicious, dishonest, frivolous or vexatious. As suggested earlier in this paper, whistleblowing can occur in individualistic cultures not just for individual material rewards but also for the individual moral rewards that come with doing the right thing[62].

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[59] Evans, *op cit* ., 276-277. Just as with his description of whistleblowers, the way Evans describes egalitarian culture in these passages often looks more like a description of an individualist culture, with its emphasis on "freedom" and "individual negotiation".

[60] Loyens, *op cit*., 243-245.

[61] Loyens, *op cit*., 246.

[62] Rational choice theorists often incorporate a similar combination of material and moral rewards and costs into their individualistic explanations of corruption. See, for example, R. Klitgaard, *Controlling Corruption*, University of California Press, Berkeley, 1988, 71.

Individualists may report wrongdoing in good faith because they are responding to their commitments to their own higher moral codes[63].

Table No. 4 – The Grid-Group Typology and Whistleblowing in Good Faith

Grid	Group	
	Low	High
High	*Fatalism*	*Hierarchy*
	External bodies investigate reports and support whistleblower.	Clear rules for reporting and responding.
	BUT	**BUT**
	Reporting process may rebound on the whistleblower.	Managerial abuse of power; gaps in the rules and procedures; procedures hard for whistleblowers to follow.
Low	*Individualism*	*Egalitarianism*
	Own judgments the basis for reporting; individuals expected to speak up for themselves.	Group norms provide the basis for reporting; openness to hear reports.
	BUT	**BUT**
	No firm basis for resolving whether the whistleblower is in the right against competing individual claims.	Group supports norms against whistleblower, even when these lack integrity; no way to resolve intra-group conflicts over integrity.

Source: Author's Own Elaboration

The ways in which different organisational cultures are likely to respond to good faith whistleblowing are set out in Table No. 4. Each of the cultures contains a mix of advantages and disadvantages for whistleblowers. As noted earlier in the paper, hierarchical organisations will have rules for whistleblowing but these may allow managerial

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[63] Glazer and Glazer, *op cit.*, Chapter 4.

discretion or be hard for whistleblowers to follow. In egalitarian cultures, the desire of the group to protect its norms provides strong grounds for reporting when these norms are violated. At the same time, there is no umpire to resolve disagreements within the group over whether norms have in fact been violated. The result can only be an impasse or a splitting of the group[64]. Moreover, a whistleblower who misjudges the norms of the group may find themselves shunned and expelled[65]. In this context, Evans notes that "the model of egalitarian organizations – the collegiate system – is replete with dysfunctional committees", while Jos concludes that "professional associations are only sporadically helpful to those who blow the whistle"[66].

The norms of individualist cultures include a willingness to live with and hear competing ethical views; however, individualism provides no mechanism for resolving conflicts over ethical behaviour. A whistleblower who challenges the actions of another organisational member faces the prospect of that member responding that the actions at stake can be justified by their own ethical framework. Individualist organisations that are focused on outcomes seem particularly susceptible to conflicts of this sort[67]. As with egalitarianism, individualism provides no prospect of an umpire to break such an impasse. Finally, fatalist organisations may be regulated by external bodies to whom whistleblowers can turn when organisational rules are broken. On the other hand, the investigative activities of those external organisations may have unpredictable consequences for the whistleblower, including their identity becoming known within their organisation[68].

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[64] Douglas, *Natural Symbols*, xxi-xxii.

[65] M. Miceli, J. Near, *The Incidence of Wrongdoing, Whistle-Blowing, and Retaliation: Results of a Naturally Occurring Field Experiment*, in *Employee Responsibilities and Rights Journal*, n. 2, 94.

[66] Evans, *op cit.*, 277; Jos, *op cit.*, 114.

[67] Hood, *op cit.*, 34-35.

[68] L. Annakin, *In the Public Interest or Out of Desparation*? *The Experience of Australian Whistleblowers Reporting to Accountability Agencies*, PhD Thesis, University of Sydney, March 2011.
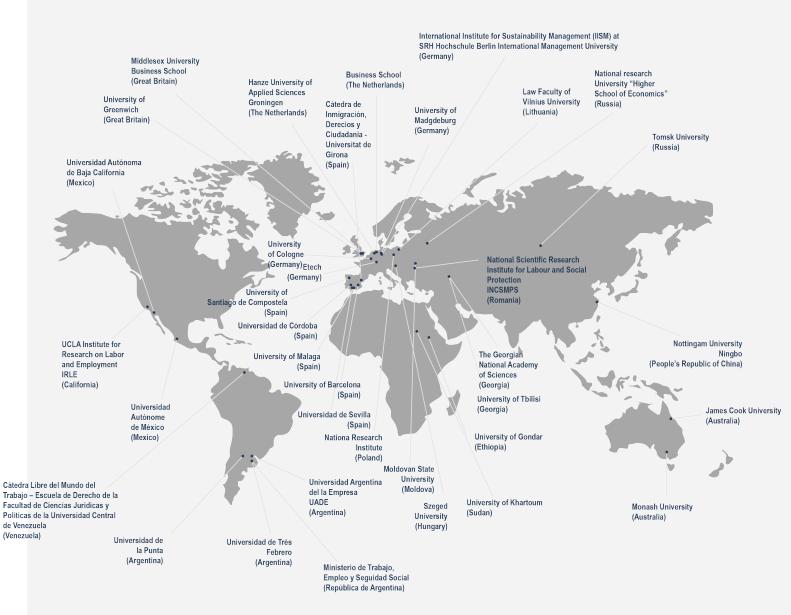
7. Conclusion

This article has argued for a re-evaluation of the common trope in the whistleblowing literature that pits ethical whistleblowers against hierarchical bureaucracy. Perhaps because bureaucratic hierarchy has been such a pervasive form of organization in the modern era, researchers have assumed that it is the barrier to effective whistleblowing, without sufficiently thinking through this claim.

The argument in this article is not that bureaucracy should be seen solely in positive terms. In that sense, it is not a defence of bureaucracy. Instead, the argument is that bureaucratic hierarchy presents advantages as well as disadvantages for whistleblowers. It can work for or against them. The features of bureaucracy that work in favour of whistleblowing – legal limits to organizational activities, formal duty statements for organizational members, clear rules for reporting, chains of accountability, and so on – have not been sufficiently recognised in the whistleblowing literature.

Moreover, bureaucratic hierarchy is not alone in presenting difficulties for effective whistleblowing. The same is true, albeit in different ways, for each of the other organisational cultures identified by Mary Douglas and her management studies heirs, including the egalitarian culture favoured by some critics of hierarchy. This paper suggests that there is no perfect organisational form for promoting whistleblowing. Trade-offs between different strengths and weaknesses are inevitable in the choice of a particular organisational form. The task that follows from such a conclusion is one of empirical research that better identifies and explains these competing strengths and weaknesses.

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