

# An Examination of the Role Women Whistleblowers

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Received: June 12, 2016

Accepted: June 22, 2016

Online Published: July 6, 2016

doi:10.5539/ibr.v9n9p17

URL: <http://dx.doi.org/10.5539/ibr.v9n9p17>

## Abstract

Previous studies discuss the subject of whistleblowing by women and the consequences of retaliation. However an examination of the past and current research is needed to gain a more thorough understanding of this complex issue and how the women are viewed, and how the topic is evolving. As a starting point the purpose is to examine whistleblowing with a focus on women's roles as well as the various legislation initiatives and global progress toward minimizing retaliation. The author investigates prior research in the areas of women whistle blowers, and adds current whistleblowers of note. This research review and derived information to encourage change will prove interesting in contributing further material for those embroiled in this issue. This work contributes to the existing literature by adding further insight into the areas of anti-retaliation progress and how society views women whistleblowers. Furthermore it evidences that women continue to demonstrate courage in standing up for ethics in the workplace in spite of persistent retaliation.

**Keywords:** ethics, gender, retaliation, women, workplace, whistleblowing

## 1. Introduction

Standing up and reporting a wrong in the public or corporate environment will label one a whistleblower. Although this is an honorable concept that is necessary due to a breakdown of organizational ethics, it is controversial, may be deemed as disloyal and repercussions will follow especially if you are a woman. While whistleblowing is not a new term, unfortunately it is not going away. Legislation has been developing on a worldwide scale for over a decade designed to prevent corporate wrongdoing and protect those who report it (Wolfe, Worth, Dreyfus & Brown, 2014). However such wrongdoing is still typically uncovered by an insider who blows the whistle (Dworkin & Baucus, 1998). Women continue to stand up and report unethical and illegal actions in spite of the consequences. The United States began the whistleblowing climate in the seventies and we accept it as the way things are done in corporate America when information must be disclosed in regards to wrongdoing (Johnson, 2003). Whistleblowing plays an important role in exposing wrongdoing, and consequently the whistleblowing concept has many definitions that in the most simplistic terms can be explained as the act of informing the public of a wrongdoing. However whistleblowing is complicated and global; it involves legislation, codes of conduct, public entities, and private enterprise so one definition is not appropriate to fit all of the situations. Whistleblowing continues to evolve and is now woven into the fabric of social responsibility.

## 2. Literature Review

While the definitions are constantly evolving to incorporate all the many complexities that whistleblower's face, there are two that stand out as very straightforward. It is noteworthy that in examining whistleblowing with a focus on women, both definitions selected are authored by women. In defining the whistleblower Kathryn Ahern and Sally McDonald use a clear description. A whistleblower is "One who identifies an incompetent, unethical or illegal situation in the workplace and reports it to someone who may have the power to stop the wrong" (Ahern & McDonald, 2002). The research of Natalie Dandekar defines the act, and she states that "Whistleblowing is a specific type of action; going public with privileged information about a legitimate organization in order to prevent non-trivial harm" (Dandekar, 1991).

To examine why people are called to divulge wrongdoing is complex and the varied reasons and motives are often different with women. What becomes apparent is that these are courageous believers driven to do what is right. Doing what is right involves one's ethical perspectives. Ethical virtue may be the driving force behind the motives of female whistleblowers. The theory of ethical virtue can be attributed to Aristotle (Broadie, 1991). Scholars oppose what defines the term of virtue ethics according to author Christine Swanton who states one general explanation is that virtue ethics

equals being a good person with strong core values (2013). When women whistleblowers come forward it may be associated with their ethical virtue. Ethics are an important driver for the reasons women come forward to report unethical, illegal or other actions that cause grave harm. There have been numerous studies that have concluded that women are more ethical than their male counterparts in business situations (Valentine & Rittenburg, 2007). Women that report unethical wrongdoing in the workplace demonstrate the personality hallmark of virtue.

Both men and women face the potential of retaliation once they report public or corporate wrongdoing (Near & Jensen, 1983). Often whistle blowers experience unpleasant consequences from their choice to report wrong-doing in their organizations, as people struggle in facing the realities of exposed values versus enacted values (Alford, 2016). What a company says it stands for and what it gets caught doing, thanks to the actions of the whistleblower can be defining moment. Significant reputational damage can be done to an organization that fails to handle a whistleblowing event properly in the area of social responsibility and public perception (Fombrun & Van Riel, 2004; Lombardi, Bruno, Mainolfi, & Moretta Tartaglione, 2015; Mahon, 2002; Tavakoli, Keenan & Cranjak-Karanovic, 2003). As whistleblowing evolves on a global scale, so does social responsibility as a reason to expose fraud and unethical corporate behavior. For some organizations and the individuals within the organization it may be easier to punish the whistleblower, rather than to accept the reality. For women who blow the whistle their reality a harsh one as many receive some form of punishment for their actions by the organizations or individuals the divulged incriminating information on act (Rehg, Miceli, Near & Scotter, 2008). The perception is that females respond in a more intense way than men do to the repercussions that may follow in the aftermath of the whistleblowing act according to researcher's Regh, Miceli, Near & Scotter (2008). For most whistleblowers retaliation in some form is a common outcome, and at this point we have not progressed enough with legislation that works in truly protecting those who bravely come forward.

In reviewing the prior literature and research on women and whistleblowing, it is important to note the 2010 article published in *International Business Research*, where Hunt states that "Women are gaining more notoriety for coming forward and dealing with tough ethical issues in the workplace" (Hunt, 2010). The historical and current research published since this article will prove this still statement holds true. Women are speaking up on wrongdoing in the corporate and public arenas on a global scale. Current international research reviewed indicates that women are making news for whistleblowing. In Columbia women are speaking out about human rights issues, even when this can bring dangerous consequences (Melo, 2016). Australian female nurses are risking it all and making both history and headlines for having the courage to change the system by reporting wrongdoing (Blair, Kable, Courtney - Pratt, & Doran, 2016). Culture and perceptions of Indian women nurses working in the United Kingdom have been studied in regards to their perceived status compared to male Indian doctors and subsequent repercussions involving whistleblowing (Brailon, & Bewley, 2015). While some women whistleblowers are gaining global admiration it is equally important to realize that women in some countries such as the former Yugoslavia and in Egypt are severely punished for speaking out about organizational wrongdoing (Jurkiewicz, & Grossman, 2015). Jurkiewicz and Grossman, write about women that are tortured and who experience horrific violence as retaliation for the disclosure of information (2015). So while the review of research indicates continuing strides by women who blow the whistle to expose wrongdoing, there is much work to be done in protecting whistleblowers on the international front. The women's whistleblowing movement seemed to begin with the historical moment when the three iconic women made the 2002 *Time Magazine* cover as "Persons of the Year" for whistleblowing; the public viewed these women as heroic and brave (Cooper, 2010). The three honored women were Cynthia Cooper, Colleen Rowley, and Sharron Watkins. The WorldCom scandal was unearthed by Cynthia Cooper (Cooper, 2010). What is significant about her actions is that the World Com scandal is regarded as one of the biggest scandals involving wrongdoing (Marshall, 2008). Colleen Rowley was an attorney who worked for the FBI, where she exposed wrongdoing within the FBI in an infamous memo (Faunce, Bolsin, & Chan, 2004). Enron's scandal stands as the most publically known ethical breach and scandal in the United States and without whistleblower Sharon Watkins the debauchery might not have been uncovered (Swartz, & Watkins, 2003). Historically these were defining moments which would change the views of the public's trust and how we view corporate fraud.

These women demonstrated bravery in coming forth with damaging information has led to the world developing fraud legislation, policy, and protection for whistleblowers. Laws aimed at shielding whistleblowers have been enacted since the WorldCom, FBI, and Enron scandals. The 2002 Sarbanes Oxley Act was designed with intentions of keeping whistleblowers safe from harm (Dworkin, 2007). In looking back almost fifteen years later, it would not appear that these whistleblowing women were kept safe from repercussions or that they are better off in regards to their corporate status. This assumption can be derived from considering a traditional business world concept regarding career success. From a career standpoint it can be observed that their professional corporate careers practically ended after they became whistleblowers. Today all of these women have become writers and public speakers, but none have ever held high level corporate positions since their whistleblowing actions. How their success will be viewed historically is subjective.

Cynthia Cooper stated that she was not a hero in a USA Today interview (Farrell, 2008). While the act is brave and heroic, the women may not be viewed by society as heroes. The research by Rehg, Miceli, Near and Van Scotter concluded that when the whistleblowers are females their actions are perceived unfavorably (2008). They refer to this as a “role violation” (Rehg, Miceli, Near & Van Scotter, 2008). Traditionally in society boys may feel they own the role as heroes, so when girls attempt to take on the role of hero it is out of the norm, and not accepted. We are unconsciously programmed to see men as heroes and even superheroes, with Superman and Clark Kent as our examples. Society historically indicates that heroic occupations like being a firefighter are reserved for men. Thus the perception exists that men are generally the heroes. Of the over 1 million firefighters in the United States, only slightly more than 7 % are female (Haynes & Stein, 2014). This may explain why women are not generally perceived as heroes nor do their careers get rewarded from espousing wrongdoing in their organizations. It is not any easy choice to expose unethical corporate behavior. Uncertain circumstances lie ahead in the choice the whistleblower faces when revealing unethical activity and in rationalizing to who and how they will make the information public knowledge (Dworkin & Baucus, 1998). Whistleblowers demonstrate tremendous courage in coming forward. However for female whistleblowers, their actions are particularly courageous due to the repercussions they will likely face. History teaches us that courageous women like Joan of Arc are burned at the stake. The choice to divulge wrongdoing is not any easy one, and as the research presented by Rehg, Miceli, Near and Van Scotter indicates, it does take women out of their gender role and comfort zone (2008).

Women are programmed at an early age on how to behave properly as a good girl. Females are expected to be humble, kind and directed toward value based careers, conversely for males it is acceptable to be aggressive and directed towards careers that offer high monetary rewards (Hofstede, Hofstede, & Minkov, 2015). Which coincides with the premise that “Girls are scolded for not sharing enough and playing nice; while for boys it is more acceptable to not play nice” (Hunt, 2010). Research by Moore states that boys and girls are brought up and rewarded for very different characteristics, and as children girls are generally reprimanded for demonstrating forceful conduct, whereas boys are allowed to wrestle and work it out (Moore, 1981). The act of whistleblowing is a stressful situation for both men and women, but for women what happens after can be particularly harsh. Females experience a high amount of stress in the aftermath of exposing fraud and becoming a whistleblower (McDonald, 1999). There is an enormous amount of risk involved in whistleblowing whether you are a man or a woman, although the motivation may be different. Women are often motivated by doing the right thing (Valentine & Rittenburg, 2007). Retaliation is often the reality although advances have been made with the newer worldwide legislation aimed at protecting whistleblowers (Wolfe, Worth, Dreyfus & Brown, 2014). The act of going public with information regarding corporate wrongdoing creates a high amount of anxiety (Cooper, 2010). However women still continue to come forward and do what they perceive as the right thing even if it means destroying their careers.

We need to consider how society determines what career success is. Exiting a job due to the reporting of unethical acts or fraudulent behavior should not be viewed as destroying your career but reinventing your direction. According to research not all men and women define career success the same way, and they do not always follow gender specific roles (Russo, Kelly & Deacon, 1991). Their research further outlines that men define career success by money and position whereas for women this is not necessarily the case (1991). This suggests a marked variation in gender concepts regarding career success. While men tend to get immersed in the current job duties and business needs, women may embrace work activities that are deemed more ethically important, which results in very different perceptions of gender conduct norms (Kennedy & Kray, 2013). Career success can be defined in various ways. Males and females do not necessarily share the same benchmarks and objectives as to how they define business success (Kennedy & Kray, 2013). Authors Judge, Cable, Boudreau, and Bretz define career success as related to your present position and how content you are (1995). Using that definition it can be surmised that the whistleblower at the moment of realizing they must reveal a serious wrongdoing is no longer content with their position because they do not support the organizations fraudulent or unethical actions.

While whistleblowers may have been previously happy or content once faced with the burdensome moral dilemma and subsequent stress they would no longer be considered successful in their careers using the Judge, Cable, Boudreau, and Bretz definition. Defining what career success is may be more about utilizing one’s own internal meaning. We all have different moral and ethical values that guide us, and for some drive us. Career success subsequently would need to include our own personal definition of what it means to be successful. That can be very different for men and women and likely based more on individual values and self-imposed standards regardless of gender. Success according to the researcher of Powell and Marino could relate more to females identifying with a personal definition that aligns with their own perceptions of success (Powell & Mainiero, 1993). If success in business is defined as doing the right thing and ethics become the driving force that would mean whistleblowers are the most successful. While history shows us most whistleblowers will lose their job that doesn’t mean they will not be successful. All of the women who were Time

Magazine's 2002 "Persons of the Year" did not remain in their jobs, nor did they make headlines for taking over equally elevated positions in other companies. They however all have had hugely successful careers as writers and public speakers, and have set the historical example for women whistleblowers as role models.

### 3. Methodology

This examination of the research and literature on the role of women whistleblowers investigates the history and future role for women who report organizational wrongdoing. This study is based on secondary sources. Data and statistics regarding global legislation proved important in demonstrating progress within the topic of women whistleblowers and protection. Qualitative methodology was implored in approaching the analysis of the relationship and topic studied in regard to investigating the role of women in whistleblowing.

### 4. Findings

The fate of women whistleblowers is of international concern, and while legislation is being enacted on a worldwide level, it is only a start. The United States is the leader in whistleblowing legislation and protections, and while other countries have attempted to enact whistleblowing laws they are not as far as they should be, in reviewing the state of global advances in legislation a recently published study of G 20 countries by Wolfe, Worth, Dreyfus & Brown which appears to be the most comprehensive study on this subject (2014). Overall the G 20 countries have failed on their promise to have legislation in place by 2012 that would effectively address the reporting of wrongdoing while shielding the whistleblower in both the public and private sector from harm or punishment (Wolfe, Worth, Dreyfus & Brown, 2014). Subsequently their research confirms that since the majority of the G 20 countries have weak or no legislation in this area, when whistleblowers do come forward there is little protection (2014). To further illustrate this, the research of Wolfe, Worth, Dreyfus & Brown indicates the countries that have weak whistleblowing laws or no legislation at all especially in regards to protecting the whistleblower are: Argentina, Brazil, Canada, Germany, India, Italy, Mexico, Russia, Saudi Arabia, and Turkey (2014). Australia, China, France and Indonesia were shown in the study to have partial legislation in the private sector (2014). Such countries offer little hope in the way of protection that the whistleblower will likely face their research concludes (2014). So when women blow the whistle in most of the G 20 countries that offer very weak legislation, they risk a great deal more in standing up for what they believe in.

While not many women are currently making the cover of magazines for whistleblowing, they are still blowing the whistle on a global basis to spite the lack of protection and legislation. In Australia Toni Hoffman made newspaper headlines for reporting serious unethical behaviors in the hospital she worked for and was called a hero (Hedley, 2011). An Australian newspaper article reveals severe retaliation that was enacted over a six year period from which she suffered both physically and mentally while her employer continued to persecute her (2011). When it comes to the reaction of the organization to the act of the whistleblower, the scope of the retaliation can be both persistent and severe. Often detrimental consequences for the whistleblower include being fired, ostracized, and persecuted as well as additional forms of retaliation (Brown, Lewis, Moberly & Vandekerckhove, 2014). Many of the G 20 countries do not have court systems that award compensation to whistleblowers like the United States does. Typically most female whistleblowers get little outside notice and do not get media coverage, nor are they named heroes, but they do suffer various forms of retaliation for their courage by their organizations.

In exploring how far women have come in regards to whistleblowing it makes sense to review some recent settlements and damage awards by the United States district courts to women, which indicates the significance of the subject. The awards noted are considerable monetarily, but importantly they represent the value of being subject to severe retaliation. News stories of court awards and settlements awarded to women whistleblowers from 2011 to 2014 represent the recent stories of females that suffered through the experience uncovering both government and corporate fraud.

In 2011 Cheryl Eckard a whistleblower and manager for pharmaceutical giant Glaxo Smith Kline was awarded 96 million dollars (Loftus, 2010). Sherry Hunt walked away in 2012 with a 31 million dollar award from reporting massive fraud at Citigroup (Ivry, 2012). After being fired by JP Morgan Chase for whistleblowing, Alayne Fleischmann was awarded 9 billion dollars in 2013 (Taibbi, 2014). Catherine Zulfer the former Senior Vice President and controller for Playboy Enterprises were awarded 6 million dollars in 2014 for a Sarbanes-Oxley retaliation based lawsuit (Ross, 2014). Sherry Hunt resigned from Citigroup (Ivry, 2012). The other women were all fired and all the lawsuits involved appalling retaliation. These court awards and settlements should serve to put corporate America on guard for the potential scope of legal consequences that can occur when whistleblowers are retaliated against. Women who blow the whistle on government or corporate wrongdoing are not being silenced, as the news headlines of million and billion dollar court settlements prove. A deciding factor in the future of whistleblowers willingness to take action may not be in looking at the laws aimed at shielding them from harm, but more in how they are perceived by their coworkers, management and their organization (Brown, Lewis, Moberly & Vandekerckhove, 2014).

Career openings are growing for women, as are organizational programs that encourage female involvement (Arulrajah,

2016). From this it can be concluded that women whistleblowers will continue to uncover workplace wrongdoing and report it. It has been discovered that women speak up about ethical concerns for different reasons than men. The research indicates that women may be more ethical than men (Kennedy & Kray, 2013). However their willingness to come forward could be an indication of a lack of confidence in the organization. It is important to note that females have shown to be less trusting (Kumar, & James, 2015). Women continue to report what their ethical compass considers to be wrong in the workplace, and often they perceive whistle blowing legislative will protect them, which research has shown not to be the case.

## 5. Discussion and Conclusions

Whistleblowing plays an important role in exposing wrongdoing, and consequently the whistleblowing concept has many definitions that in the most simplistic terms can be explained as the act of informing the public of a wrongdoing. However whistleblowing is complicated and global; it involves legislation, codes of conduct, public entities, and private enterprise so one definition is not appropriate to fit all of the situations. Whistleblowing continues to evolve and is now woven into the fabric of social responsibility. There is often little protection from retaliation worldwide, but hope exists as legislation progresses.

Courage defines the essence of most female whistleblowers and how they respond and react to the aftermath of retaliation is what makes them business heroes that we can all aspire to be. Women are continuing to stand up and bring attention to critical wrongdoing making a difference on a worldwide level. Implications of literature indicate the need in redefining how society views corporate career success for women. Displaying virtue ethics must be embraced in the culture of corporate society and how we benchmark female career success and women's roles (Thomas, 2008). Women in the workplace who blow the whistle on government or corporate wrongdoing are not going away quietly, as news stories of the million and billion dollar court settlements verify. However they are still being retaliated against and their lives often become a living nightmare after the act. In reviewing the research most female whistleblowers have several things in common, among them being that they would make the same choice to report fraud again regardless of the consequences because they were internally driven to do what was right and ethical. The recent publicity of sizeable settlements for corporate retaliation against women whistleblowers should place corporate governance on notice that they will be held accountable, both in the legal system and by the public's judgment regarding social responsibility, and ethical conduct.

On a worldwide level improvements are beginning to be made in whistleblower protection. While some countries have strong laws aimed at protecting whistleblowers, still many do not especially regarding protection from retaliation. There is still a long way to go in getting whistleblowing legislation and in particular retaliation protection against women on a global basis, but progress is being made although it is slow. Organizations are forming teams to incorporate the ideas of women in the operating process (Arulrajah, 2016). This should offer open environments to encourage ethical discussions.

The concept of women's rights and organizational retaliation for divulging organizational wrongdoing involves the international community. Legislation must be considered as the option that offers the broadest implications for future protection to women whistleblowers. Increased involvement of women in corporate and public governance will result in more ethical perspectives being considered. Large court awards should serve to act as due notice to organizations that action needs to be taken to prevent ethical image problems that have the potential to destroy the organization. Global action committees must be created to address the issues that women whistleblowers face, for the well-being of the women in the workforce, and the stakeholders.

The limitations of the research worked reviewed here is a small sample in consideration of a global view. Additional research is needed to explore and discover the progress women whistleblowers are making worldwide and the evolving reasons behind their courageous choices. The global study by Wolfe, Worth, Dreyfus & Brown, gives an overview of recent global legislation regarding whistleblower protections (2014). However there is much work to be done in protecting women whistleblowers in non-G 20 countries, and this needs to be explored further. Gender and societal perceptions of women who report organizational wrongdoing is another area for continuing study. Defining how we evaluate a woman's career success and the role of ethics, virtue, courage and honor is of value if we are to truly grasp the role of the women whistleblowers of the past and in the future. There is a need for studies that compile statistical data. There are limited recent studies that explore this issue on an international level. The involvement of female's ethical perspectives and actions in the workplace gathered by controlled methods would add to the research. Also the cultural differences and legislative progress regarding women in non-G20 countries relative to whistle blowing should be given consideration for forward studies.

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