

## WHISTLEBLOWING: IS IT MORALLY OR ETHICALLY JUSTIFIABLE?

Dr.A: If someone else's actions clearly and substantially affect others (either benefiting or harming them), then even if we are not certain whether the actions are right or wrong, we can agree that they should be evaluated morally. Let's take a look at "Whistleblowing".

Dr.B: First, let's get a clear idea about what whistleblowing is.

Dr.A: My understanding of "whistleblowing" is the sounding of an alarm (blowing the whistle) from within the very organisation or institution in which one works.

Dr.B: Is the reason behind whistleblowing to call attention to great abuses that are believed by the whistleblower to be illegal or unethical and threaten the public good?

Dr.A: I think so. But, what motivates whistleblowers?

Dr.B: Well, there are two opposing positions. On the positive side it is argued that they are people of integrity who blow the whistle on practices they believe violate their own, their community's or the values of their organisation.

Dr.A: Do they believe that through their actions, they can create public awareness of illegal or unethical practices and thus may elicit positive change?

Dr.B: I guess so. They are typically motivated by strong personal ideals and are committed to the view that people must assume responsibility for the conduct of the organisation or institution in which they work.

Dr.A: These reasons seem to justify everyone blowing whistles! What are the arguments against whistleblowing?

Dr.B: The first is the claim that they are mentally disturbed or chronic complainers, disloyal and untrustworthy who betray their team or organisation.

Dr.A: Do you mean like vindictive people who are motivated by malcontent who want to "pay back" their company or organisation for perceived or actual personal injustices?

Dr.B: Exactly, they cause dissent by going public with personal disagreements with an authority or a majority view.

Dr.A: In a way it is a breach of public trust. They have the potential to bring down a company, organisation or administration, create poor publicity or damage chains of command.

Dr.B: I think it is important to emphasise that whistleblowing is dangerous, no matter the motivation. It may cause someone to be prosecuted, jailed or otherwise damaged, and it may cause undue trouble to an institution or organisation if the whistleblower has made false statements.

Dr.A: Does it then classify the whistleblower as untrustworthy, or disloyal to one's organisation, profession or colleagues.

Dr.B: Yes, and as we know, it may jeopardise personal advancement by giving the whistleblower a "bad name".

Dr.A: But, it may enforce group control causing others to stay in line out of fear of being called a "whistleblower". Worst of all, it may cause irreparable personal harm-even death to the whistleblower.

Dr.B: So if someone is considering blowing the whistle, they should think seriously about all the possible ramifications. What are some of the things a potential whistleblower should consider?

Dr.A: The whistleblower justifies his or her course of action by moral or ethical appeals. It is important to investigate the situation and be certain that the facts are as he or she sees them.

Dr. B: You are right. In the medical field, the whistleblower should recognize that his or her primary moral responsibility is to patients unless other compelling moral reasons override this loyalty.

Dr.A: Are you saying that the whistleblower should ascertain that blowing the whistle would produce more good than harm to patients? This is very difficult to do!

Dr. B: The whistleblower should recognize the seriousness of his or her actions and be ready to accept the consequences. This takes great moral courage!

Dr.A: Whistleblowing should not be calling public attention to irregularities of little consequence to the public good. Nor should it be regarded as a minor event in one's life. It can, and often does, hold harsh consequences for the person who blows the whistle.

Dr. B: Yes, whistleblowing should be regarded as an act of moral courage and protective measures should be in place to safeguard the whistleblower.

Dr.A: Yes and South Africa does have laws to protect whistleblowers. However since the law does not shield the whistleblower from subtle and overt ramifications associated with whistleblowing, these issues should be publicly sensitised.

Dr. B: It should also be regarded as good and important for companies and organizations, and incorporated into management structures and rules, including accountability procedures for whistleblowing.

Dr.A: So, if you feel you are morally obliged to blow the whistle, what should you do?

- Attempt to resolve the problem using all appropriate channels within your organisation or institution;
- Ascertain that blowing the whistle will produce more good than harm to patients;

- Accept the responsibility for your actions;
- Justify your course of action by moral or ethical appeals;
- Investigate the situation and be certain that the facts are as you see them;
- Document carefully the facts; and
- Recognize that your primary responsibility is to patients unless some other moral reason outweighs this responsibility.

Dr. B: We could say that whistleblowing morally requires

- Knowing in what you believe;
- Choosing freely what you believe;
- Cherishing what you believe;
- Publicly declaring what you believe;
- Habitually acting on your beliefs; and
- Responsibly accepting the consequences of your actions.

Dr.A: If this is followed, then whistleblowing may be regarded as an act of moral courage.

Dr. B: Every day we see and hear about acts of injustice and things that we know are wrong. We often sit back and do nothing. This inaction contributes to cumulative immorality.

Dr.A: But how many of us are willing to place our personal reputation on the line for a cause we believe is just?

Dr. B: Food for thought.

Dr.A: That's the idea.

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