

# From Organisational Silence to Deontic Anger: When Whistleblowers Speak Up

by Philippe Jacquinot

associate professor, Paris-Saclay University

and Arnaud Pellissier-Tanon

associate professor, University of Paris I Panthéon-Sorbonne

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A whistleblower speaks up: they claim to have witnessed a breach of a rule in force in their social setting and report it to the competent regulatory authority, even at the risk of incurring the displeasure of the alleged perpetrators. The literature explains the decision to alert as a calculation that weighs up the advantage of putting an end to the violation against the disadvantage of risking exposure by potentially breaking the organisational silence. It adds that the purpose of the disclosure is seldom achieved and whistleblowers are often subject to retaliation (harassment, isolation or even dismissal). How can the prosocial advantage of having the violation curtailed or any possible personal advantage resulting from the alert outweigh the risk of major personal losses? This analysis of a biographical account of a whistleblower puts forward the concept of “deontic anger” which was provoked by organisational behaviour in lawsuits. Decision-making by one possible type of whistleblower (who, sensitive to values, has prosocial motivation) is analysed. Their decision to get higher authorities involved stems from deontic anger driven by their sense of duty when they think they have witnessed a violation. In conclusion, it is pointed out that it would be worthwhile for research on whistleblowing to take account of emotional intelligence and practitioners should understand the reasons behind the anger, justified or not, that moves certain employees to take action.

Whether or not a company’s ethical guidelines include a formal reporting procedure, the literature written in English defines whistleblowing as “the disclosure by organization members (former or current) of illegal, immoral or illegitimate practices under the control of their employers, to persons or organizations that may be able to effect action” (Near and Miceli, 1985, p. 4). Whistleblowing is underpinned by the belief, which is common in American culture, in the effectiveness of remedial actions taken at the initiative of each and every one, in addition to, or at the same time as, actions by the authority (Charreire Petit and Surply, 2008). The 2002 Sarbanes-Oxley Act, passed in the wake of scandals such as that having caused the fall of Enron, forced listed companies in the United States to introduce a procedure governing whistleblowing in all their subsidiaries.

The practice spread to Europe under the initial impetus of the presence of American subsidiaries of groups listed in the United States and European companies listed in the US. Many other firms subsequently rolled out in-house whistleblowing systems to increase legitimacy vis-à-vis their stakeholders (Pittroff, 2014)

or, at least, to avoid losing their “license to operate” (Cramer, 2002, p. 103) in the event of the public revelation of questionable practices (Heineman, 2007). A number of European countries, beginning with the United Kingdom, have adopted provisions to spur the disclosure of wrongdoing in companies and government departments (Boyer, 2013).

However, in 2010, the Parliamentary Assembly of the European Union criticised the fact that most Member States had no comprehensive laws for the protection of whistleblowers<sup>(1)</sup> and it was only in 2019 that the Council approved a directive in this respect<sup>(2)</sup> and asked Member States to ensure that enterprises having 50 or more workers and municipalities with at least 10,000 inhabitants implemented effective reporting channels.

<sup>(1)</sup> Resolution 1729: <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-EN.asp?fileid=17851&lang=en>

<sup>(2)</sup> Directive (EU) 2019/1937 published in the Official Journal of the European Union of 26 November 2019: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2019:305:FULL&from=EN>

The literature looks into the reasons that prompt whistleblowing. Since the work of Latané and Darley (1968, 1970), it has been sharpening the analysis of the process by which the whistleblower decides to sound the alarm.

For Miceli *et al.* (2008, 2012), the process starts when a witness notes that a violation has been committed and they feel that this is detrimental for the organisation or for the wider society. The literature considers the witness's personality. Near and Miceli (1996) posit that, broadly speaking, whistleblowers are not considered as being exceptional people before they make their disclosure. Rothschild and Miethe (1999) maintain that a witness to a violation who instigates an alert has almost no sociodemographic characteristics that distinguish them from the silent observer. That said, they do claim that whistleblowing is dictated by the personal values of the whistleblowers in 79% of the cases they examined. They highlight a majority profile of whistleblower with the other profiles being driven by the promise of a reward, by fear of being sanctioned for failing to disclose wrongdoing or by personal differences with their management.

According to Miceli *et al.* (2008, 2012), the process continues when the witness notes that the people tasked with immediate regulation (line manager, ethics correspondent, local HR, auditor, etc.) do not take action to stop the disruption caused by the violation and they consider that it is their responsibility to refer the matter to a higher regulatory body. They show loyalty to all the company's external and internal principals, throughout the delegation chain from the firm as a whole to local managers, via shareholders, managers and the remainder of the hierarchy. This means that whistleblowers demonstrate prosocial behaviour (Miceli *et al.*, 1991), not vis-à-vis those involved in the violation they report but vis-à-vis the social setting which enables them to act within a given framework.

For Miceli *et al.* (2008, 2012), the decision to sound the alarm ends when the witness weighs up the benefits and risks and decides whether or not to proceed. Miceli *et al.* (2008, 2012) specify that the benefit is the discontinuation of the violation and the risk is dismissal or other personal consequences. They reason in terms of the likelihood of getting the wrongdoing stopped and the risk of retaliation. However, they fail to state how the discontinuation of the violation can be a source of satisfaction for the potential whistleblower. In this respect, the percentages identified by Rothschild and Miethe (1999) provide insight: 79% of whistleblowers are motivated by their personal values, 11% from fear of being criticised for remaining silent, 3% by their resentment of management and 2% in the hope of a promotion or raise. As regards the drawbacks, the literature suggests that whistleblowers run the risk of being excluded from their organisation, with a certain amount of emotional distress (Peters *et al.*, 2011; Park and Lewis, 2018) related to the vehemence of the group's reaction (Rothschild and Miethe, 1999) or to the loss of the benefits from belonging to that group (Charreire Petit and Cusin, 2013). As they break the law of silence (Cailleba, 2017), whistleblowers are considered to have betrayed the group's unwritten

rules (Schehr, 2008). Near and Miceli (1995) and Miceli and Near (2002) show that the probability of reaping the benefit and avoiding the risk is contingent on the whistleblower's authority vis-à-vis the perpetrators of the violation.

The literature therefore emphasises the reasons for whistleblowing and identifies the features of one type of whistleblower, namely a strong sense of values and pronounced prosocial motivation. In an exploratory study based on ten life narratives, Hennequin (2020) pinpointed four profiles on the basis of the extent of their compliance with ethics or simply the law in the company as well as the societal or organisational nature of their motivation; a strong sense of values and prosocial behaviour are flagged up. However, the issue of the actual calculation of benefits and risks is not settled. Scheetz and Wall (2019) noted that a substantial number of witnesses do not report wrongdoing in spite of the fact that, every year, the Securities and Exchange Commission pays hundreds of millions of dollars in awards. Conversely, Hennequin (2019) observed that witnesses continue proactively with their whistleblowing despite evidence of reprisals and suffer with growing anger what they feel to be an injustice (p. 8).

Hennequin (2020) paved the way for research to better understand decisions to disclose taken by whistleblowers who are sensitive to values and have social motivation: the anger that drives them when they consider that they have witnessed an injustice causes them to make a report whereas, to an external observer, the drawbacks seem to outweigh the benefits. This perspective encourages researchers to return to the field and, in particular to use qualitative methods. We have compiled the biographical account of a person claiming to be a whistleblower. This case provides an in-depth understanding of one aspect of a whistleblower's reasons for taking action. Through her statements, we highlight the role of her indignation and even her anger. We will also be examining the literature on organisational behaviour and will put forward the notion of deontic anger. We will be offering a complete analysis of a type of whistleblower and, in the conclusion, we will make recommendations for being vigilant to the ethical nature of the anger that motivates certain whistleblowers.

## Inès de Chambertin's biographical account

Inès de Chambertin was born at the end of the 1960s. She is the younger of two children. Her and her brother had the solid education of an affluent background in which it was important to maintain social status and to complete "appropriate" studies for girls and "outstanding" ones for boys. She says that "When we were brought up, we were told 'You must work, you have to succeed'". After her baccalaureate, she enrolled at university: "It was decided that I would go to Dauphine University, [... because] the course had a good reputation". This was at a time when the newspaper headlines heralded the successes of the golden boys. As the logical continuation of her studies,

## Research methodology

One of the authors came across the whistleblower when reading an article in a popular weekly magazine. As he thought that the story could interest his students taking an ethics and CSR course that he gives at Masters 2 level, the author contacted the whistleblower. The latter reacted very positively to the request to testify. She was clearly still affected by the events and wanted to recount her experience unlike what is usually the case for sensitive topics (Hennequin, 2012). This contact provided us with a real opportunity to learn as defined by Stake (1994).

We began by carrying out a documentary study based on the five press articles devoted to this whistleblower, her speech at a colloquium of the CGT trade union and a 32-minute television programme. We then compiled a biographical account as defined by Bertaux (1997) during an interview on neutral ground that lasted 7h34 over a single day including the lunch hour. The day-long interview was recorded with the whistleblower's agreement with the express goal of establishing research work. The whistleblower talked about her experiences starting with her studies and her first job. At our request, she also explained how she had been brought up and her values. She handed us a copy of the file that she had submitted to the dismissal appeals commission of the professional federation in her sector of activity (80 pages of exchanges of emails, reports of meetings and other sundry documents). The whistleblower subsequently gave a lecture as part of one of the two authors' ethics and CSR course. We did not note any contradictions in the facts stemming from the two sources and data triangulation was therefore possible. This enabled the points in the timeline of events to be specified and for the whistleblower's story to be confirmed.

We used this biographical account to analyse a "category of situations" (Bertaux, 1997, pp. 13 et seq.), that of a type of whistleblower, as well as the "social trajectory" (Bertaux, 1997, pp. 13 et seq.) which turns a person who witnesses what they consider to be a violation into a whistleblower. The data specifically focuses on how the whistleblower viewed the issue and her scope for action. It allows for a blanket analysis of this case of whistleblowing, by looking to identify what prompted the whistleblower to go ahead and make the disclosure.

The interview was fully transcribed and the names have been changed, as we undertook to do vis-à-vis the whistleblower, to ensure that the data from the interview does not influence the ongoing legal proceedings.

she joined a bank without having really thought about her career choices. She gained 18 years' experience and was promoted from assistant to senior analyst. She married Xavier de Chambertin and they had four children over a 14-year period. She went back to work after each of her periods of maternity leave. She stayed with the same banking group and worked on financial analysis, specifically counterparty risk analysis.

Inès de Chambertin changed positions during the mergers and acquisitions which enabled the group to expand its business activity, in particular onto the financial markets. She kept her responsibilities as financial analyst and alternated between positions with the retail bank and with the investment bank. When she returned from her third maternity leave in early 2007, she says that she sensed that the bank's mindset had changed. She felt out of step with her colleagues.

"When I joined the bank 20 years ago, [...] there was an image of elegance, [...] staff in smart suits. [...] You had to instil trust. People didn't entrust their money to just anyone! [...] Now, traders have anything but a good image. [...] If they look like thugs, then that's perfect. It's very well perceived as it's a sign that they will earn a lot of money and are prepared to go to any ends to succeed".

She brought her boss and colleagues back into line when, according to her, they were talking behind people's backs and this compounded her image as the old-school mother of a large family

"I had a boss who was quite nice, very cool, who came and began talking about one of our contacts and said many horrible things [about him] [which] as usual [were] very, very funny. [...] It's very easy to laugh heartily and to even elaborate. [...] It made my blood boil [...] and I said "I'm sorry Simon" – my boss's name was Simon –, "but it's against my ethics, you can't

talk like that in front of me". [... After that,] whenever he was talking about someone, he said [with a false tone of innocence]: "Ah no, Inès shouldn't be here, we mustn't shock her...We can't say that in front of her!" But I did win this combat against my boss. Nobody spoke ill [of others] in front of me".

Inès de Chambertin loves her profession and is proud to belong to her banking group. Nonetheless, she thinks about the differences that she believes exist with the practices in force a decade ago. According to her, previously, analysts had to justify the risks that they made the bank take. Now, and again according to her, it is the strictness of the rating granted to counterparties that they have to justify. [She describes, for instance,] "committees with many members where it's impossible to say who is in charge", or "everyone has a comment to make", or "heavy pressure is applied to make you think: "OK, why don't we give a higher rating"?", where "I have to constantly prove why I'm giving a negative opinion". She refers to a "reversal of the burden of proof" leading to "reckless risk-taking".

"There was therefore a tipping point. I'd found out that, from a human perspective, the bank was operating in reverse. I was shocked and had to react. [...] At that time, I wrote a short text about the problems I had noted. [...] I put forward a solution for each of these problems as I had told myself: "You have to demonstrate that there are solutions, that it's easy". [...] I sent it to quite a few people who [in fact] didn't care at all. But I also took it to a manager. [...] He told me: "Yes, it's very interesting". But then, he did nothing. [...] I said to myself [then]: "You have to act yourself". [...] I waged my little battle by email which was not seen from the exterior. [...] I didn't allow myself to judge whether the actions of my line manager and second line manager were good or bad. I simply asked them to assume their responsibilities".

"In March 2010, a new manager arrived. His lack of scruples and conscience were unbelievable. The guy went full steam ahead". She said that her new boss stepped up productivity requirements. Everyone was supposed to study the files more rapidly. He restructured the department by gradually eliminating the assistants' positions. The analysts had to do their research themselves and submit their ratings directly. Inès de Chambertin was surprised by what she saw as a breach of the ethical four eyes principle. She claims that her boss criticised her ratings as being too low without ever substantiating this.

"He wanted to force my hand on a bad file but I argued [and] told him: "As a risk analyst, who defends the bank's long-term interests, meaning the interests of our depositors, I consider that it's dangerous to grant this limit". Deep down, I was really angry. [...] Having someone with real awareness of risks in a risk department changes that department: risk awareness will return and the staff will be happy because they'll finally be able to start working again!"

After her fourth maternity leave, Inès de Chambertin went back to work but says that she felt that her boss was annoyed about her return. She adds that he immediately asked her to take account of the bank's commercial interest. Time went by, she gave a number of negative opinions but, despite what she perceived as insistence from her boss, she refused to amend her ratings. She has the following comments to make on her appraisal interview in early 2013:

"[My boss] said horrible things about me and I told him "I don't agree". And then I had a kind of knee-jerk reaction [in that case...] – because women can cry, can't they – [...] I was fed up with being insulted so I cut the interview short and went back to my office. [...] He wrote [in the interview report] that I should decide on counterparty ratings "on the basis of the salespersons' interests and prudential ratios, although the logic of risks is still the main logic". That's what he said. It's interesting because there are two points here. [...] He claimed to be defending the interests of the sales departments. [...] Salespersons are supposed to receive their bonuses. But we are supposed to be independent. [...] And he also claimed to be favouring prudential ratios. [...] He told me: "So as not to undermine the bank, to benefit the bank, put higher ratings and then there'll be less equity requirements". That meant that he was asking me to lower the calculation of prudential ratios. [...] He was asking me to overvalue the ratings. [...] That's the crux of this case. This is where there's attempted corruption! He was asking me to do something unethical. [...] But, he was like that every day! He always put ratings one notch higher! Colleagues received more bonuses and all that benefitted everyone!"

She states that she constantly reminded her boss of the ethical requirements for analysts to be independent which throws up an Ethical Wall between the risk analysis department and the sales departments. According to her, her boss was irritated by this. She claims that he rewrote her analyses and reversed her conclusions. He took away her bonus and would not let her work with the department's last assistant. He ordered her to draw up the ratings that were previously established by the assistant and that, previously, she only had to check. She refused to do so and invoked the four eyes

principle. He insisted and rewrote "15 times the message: "Do your job, I'm not satisfied with your work, you must do this job". She describes how she reacted.

"I separated the human aspect from the substantive disagreement aspect as regards professional issues. And that was where the strength of my strategy lay. [...] From the outset, I refused to complain. There was the issue of the basic disagreement but I wasn't about to cry on the human side. This meant that none of the intimidation worked".

According to her, the situation became more tense. He asked his own boss (Inès de Chambertin's second line manager) to summon her "on the grounds of insubordination". In the days prior to the interview, he "shouted at her saying 'You're really in for it now'", in front of everyone, until the day when she says that he "got right up close to her" and was about to hit her. She stopped him by saying in front of the two colleagues in her office, as she recalls "You're going to end up hitting me". Her manager did not attend the interview but an "HR minion" was present.

"He had me summoned by his own line manager for insubordination. [...] The latter] shouted, shouted and shouted at me. [...] In the middle of the interview, after an hour and a half or an hour, I said [to him]: "Listen, look, as this is where we're at, I want to tell you that I'm concerned about my manager who, in my opinion, is asking me to violate the ethical definition of my duties". At the time, I was very politically correct. I didn't say: "He's corrupt". I said: "He's too business oriented. I don't believe that he has a risk-based mentality. He replied: "I'm not able to reply on the underlying issue".

Inès de Chambertin says that her second line manager did not specify how she was at fault and did not respond to her concerns about her boss.

"So I said to myself: "My second line manager has no authority in these matters so I'll go and see his line manager, the head of the risks department". [...] I said [to that manager]: "The thing is that I have concerns about such and such a file, such and such a way of calculating risks". [...] We listed the points. [...] He had an answer to everything. [...] His main argument was: "Your manager is a true professional, I'm in very regular contact with him and everything runs smoothly, everyone appreciates his work". From the outset, I replied: "But sir, obviously you appreciate his work and don't question his performance as you've allowed him to remain in his position. That's precisely why I've come to talk to you. It's because I have concerns that I'm warning you".

She says that the very next day they moved her office and isolated her one floor down. She went back to see her third line manager but, according to her, he took no further action. She states that she wrote a long letter to her fourth line manager, the deputy managing director, setting out her doubts and asking for a meeting. She says that, ten days later, she was summoned by the HRD for an interview prior to dismissal. She was fired for misconduct without having to work out her notice. The grounds: "having made serious accusations against her superiors". She considered that her behaviour was exemplary, that she exercised her rights under the collective bargaining agreement and that she complied with her duty of loyalty to her employer. She unsuccessfully submitted an application to the mixed committee of the French Banking Association. She

filed an appeal with the labour tribunal. She also says that, during the conciliation procedure, she asked to be reinstated without compensation, but that her employer refused.

“They don't care at all. From the moment they are acting illegally, they couldn't give a damn. From the moment they begin negotiating, there's no longer an ounce of justice. [...] One day, because of the weight of this injustice, people will kill themselves by jumping into the Seine. So, that's why I'm fighting. Because they're exceeding the bounds of injustice”.

She then brought an action for attempted corruption before the criminal courts.

## Understanding the whistleblower's motivation

We will now conduct a sweeping analysis of the reports instigated by Inès de Chambertin. To do so we will examine her biographical account to map out her perceptions, expectations, judgments and decisions so as to better explain her behaviour. This method could suggest that we share her point of view and agree with her moral stance whereas, in fact, we are simply relating her point of view in order to explain her behaviour. At the same time, we will be looking at the literature on the concepts pinpointed by this analysis, namely organisational silence, justice and anger.

### Three cases of whistleblowing in one biographical account

In fact, Inès de Chambertin's biographical account features three cases of whistleblowing as identified by Near and Miceli (1985), namely: 1) disclosure by a person 2) of practices deemed to be illegal, immoral or illegitimate by that person 3) under the control of their employer 4) to persons or organisations that may be able to effect action. For instructional purposes, we will be using this matrix in the order 2, 3, 4, 1, without forgetting that this is only her version of what happened.

**First case:** she brings her boss, who is so funny, back into line when he talks about people behind their backs:

- An illegitimate practice: belittling, whether backbiting or defamation, according to Inès de Chambertin.
- The employer's control: it can fight interpersonal injustices such as belittling through value-based management, in particular by the exemplary behaviour of line managers.
- The person or organisation able to effect action: if the employer or its representatives allow the belittling to continue, the opinion leaders of the group in which it is occurring can turn the situation around.
- Its disclosure: by simply asserting her values, Inès de Chambertin reminded everyone that she considered her boss's statements as belittling. She spoke up as an opinion leader against her boss and managed to stop the practice, at least in her presence.

**Second case:** she sends out her “short text” on the bank's failings:

- An illegitimate practice: “the reversal of the burden of proof”, namely encouraging, by new collective decision-making methods, a more generous rating of counterparty risks and the setting of broader risk limits than allowed by the “ethical design of risk analysis”, which led, according to Inès de Chambertin, to increased short-term turnover and profits but also to “reckless risk-taking”. In this respect, this is a distributive injustice.
- The employer's control: it introduces or restores practices enabling the analysts to clearly set out the risks being run and decision-makers to grant loans within limits that safeguard the bank's long-term financial balance.
- The person or organisation able to effect action: the compliance department or senior management can become involved. Externally, the banking sector's regulatory authorities, or even the criminal justice system, can intervene.
- Its disclosure: the “short text” itself, that Inès de Chambertin sent to her contacts amongst the managers. Apparently, the people who she contacted were not interested in this issue. It appears that, at least initially, she did not want to report the matter to the highest echelons.

**Third case:** she advises her hierarchy of her doubts about her line manager's ethics:

- An illegitimate practice: the pressure exerted by her line manager for her to increase her ratings, contrary to what she believes to be “the ethical definition of her duties” and the real “awareness of risks”, in the shape, according to Inès de Chambertin, of verbal harrying, the withdrawal of benefits, emotional intimidation and physical violence. Inès de Chambertin refuses to consider the interpersonal injustice of this pressure but instead invokes distributive injustice which, according to her, they tried to force upon her.
- The employer's control: it upholds the independence of the financial analyst against any pressure from their line manager by setting out their respective ethical obligations, ideally within its compliance system. This means that it sets the boundaries for legitimate hierarchical pressure.
- The person or organisation able to effect action: if the superiors allow the managers to apply unethical pressure, the compliance department or senior management can get involved. Externally, professional ethics commissions can promote best practices and lawmakers can impose them.
- Its disclosure: the reporting of pressure exerted by the line managers: second and third at interviews, fourth in a letter. Then, externally, the mixed committee of the French Banking Association – Inès de Chambertin's application failed. She referred the case to the criminal courts on the legal grounds of attempted corruption.

### Organisational silence

Inès de Chambertin's biographical account flags up an overdetermined nature. She describes the "solid education" she received. She fitted into the bank's hierarchical culture with its onus on obedience. She acknowledges that she upheld the bank's political correctness. She thinks that her colleagues saw her as "an extremely conscientious mother, a hard worker with irreproachable behaviour". She very probably appears to be emotional but certainly not dangerous. Her personality in no way suggests that she would enter into conflict or report violations. But, on three occasions, she broke with the apparent consensus and went against her managers. She brought her boss back into line when, according to her, he talked about people behind their backs and used her colleagues' assent to make him stop when she was present. She waged a "little battle by email" to make her managers consider the reckless risk-taking that was fostered, in her opinion, by the "reversal of the burden of proof". Basically, Inès de Chambertin's action did not call into question what can be referred to, according to her, as the new consensus regarding risk-taking. However, her resistance to the pressure applied by her line manager causes a reaction from the "HR minion" who attended the interview with her second line manager: "But Inès, how can you dare to say something like that?". She broke away from the social models and went against the consensus. Inès de Chambertin specifies that "It was very funny as it was representative [of the culture of obedience, against which] great courage was needed".

Management science literature shows that silence may sometimes be the rule in companies when the employees do not talk about problems with their superiors (Morrison and Milliken, 2000). It identifies the various reasons why employees choose not to speak up: passiveness when faced with orders from bosses, fear of displeasing them, wish to act in the group's interests, opportunism or simply working as well as possible according to the corporate culture (Cailleba, 2017). The literature also considers the silence of managers and, in particular, their "moral muteness" (Bird and Waters, 1989), meaning their reluctance to describe their actions in moral terms, even if these actions are spurred by moral reasons: the most well-intentioned managers may just want to preserve the organisation's harmony and avoid complicating their decision-making process. This moral muteness of managers may cause staff to believe that doing business is an immoral activity and can be conducive to organisational silence. Less well-intentioned managers can stealthily shape corporate culture by attitudes, expressed beliefs, language and behavioural patterns to obtain the tacit cooperation of staff for unethical activities (Paine, 1994).

We can conclude, as does Moberly (2006), that organisational silence occurs when the leaders play on the need for acceptance by peers to assert a view of the group's unconditional loyalty. According to Grima and Glaymann (2012), the literature follows the line of Hirschman (1970). It puts forward "loyalty" as allegiance to various social groups to which each

employee belongs, in an interlinked manner, from the work team to the company as a whole. It construes the "voice" as a conflict of allegiance (Schehr, 2008). This means that whistleblowers speak up and break the organisational silence. They step away from the group to which they directly belong to prove their loyalty to the superior group. We can fully understand, to quote Inès de Chambertin, that the witness of a violation needs a certain amount of "courage" to blow the whistle. They must be driven by enough motivation to break the organisational silence and contact the higher regulatory authority.

### The witness's deontic anger

Let's go back to Inès de Chambertin's biographical account. We need to understand from which source of energy she draws her "courage". She considers the practices she reported to enshrine injustices. She does not always use this term but her feelings remain just as strong: belittling by her "so funny" boss, "reversal of the burden of proof" which encouraged the over-rating of risks and reckless risk-taking, pressure from her line manager to give ratings contrary to what she considered to be "the ethical definition of her duties" and the real "awareness of risks". Faced with her superiors who "shout" at her or have "an answer to everything": "no longer an ounce of justice [...] they're exceeding the bounds of injustice". These feelings of injustice gave rise to anger. Let's look again at the quotes. When, according to her, her boss spoke about people behind their backs: "It made my blood boil". In light of what she saw as a "reversal of the burden of proof": "I was shocked and had to react". Faced with the pressure she claims to have suffered from her line manager: "I was really angry".

The literature on organisational behaviour posits that the subject feels anger about the injustice and that it is this anger that gives them the energy to correct it. If the subject suffers the injustice themselves, then we refer to personal anger (Batson *et al.*, 2007). This is not the case with Inès de Chambertin. If the subject reacts out of empathy with the person suffering the injustice, then the literature talks about empathic anger (Hoffman, 1989). This does not apply to her either. If the subject reacts as a mere witness, without empathy for the victim of the injustice, then we are dealing with deontic anger (Folger and Cropanzano, 1998, 2001; Folger *et al.*, 2005).<sup>(3)</sup>

This is the case with our whistleblower. According to her statements, she appears to have very strong moral and legal values which are a source of legitimacy. She demonstrated a strong normative commitment believing that these values should permeate the bank and the entire financial community. Her anger originated

<sup>(3)</sup> Folger *et al.* (2005) state that the term "deontic anger" stems from the Greek root of words referring to duties binding people and representing the basis for their mutual obligations. They specify that the expression does not refer to a particular ethical perspective, such as Kantian deontology. As they look into the anger felt by the witness to an injustice, they place greater stress on proscriptions (avoiding vice) than on prescriptions (pursuing virtue), but this does not mean that they stop addressing the concept of moral duty or moral obligation.

from the sole conviction that justice is a concept that should be respected or restored in the event of a violation.

Lindebaum and Geddes (2016) take a closer look at the issue of the anger felt when faced with the injustice. They do not base their work on either Folger and Cropanzano (1998, 2001) or on Folger *et al.* (2005), but come to the same main conclusion. They refer to moral anger, as being distinct from personal and empathic anger, to describe the feeling that pushes the witness to want to correct the act which, in their opinion, represents an injustice that is prejudicial to a third party. What interests us is that they use whistleblowing as an example of moral anger. For their part, Gundlach *et al.* (2003, 2008) emphasise the anger which motivates the whistleblower when faced with a prolonged organisational violation which is able to be corrected but they do not closely examine the injustice caused by the violation nor highlight the deontic nature of the anger that drives the whistleblower.

Inès de Chambertin's biographical account provides an understanding of one type of whistleblower: driven by deontic anger against the injustice which they believe to have witnessed, they look to have this perceived injustice corrected. This means that the whistleblower does not always act impulsively. They may be undecided for a certain period of time and feel anxious (Park and Lewis, 2018). They are torn between the impetus of the deontic anger that drives them to act and the difficulty in knowing how exactly to act. They need to decide how they will have the violation curtailed. Will they speak up and blow the whistle?

### The whistleblower's decision

Let's go back to our analysis of Inès de Chambertin's biographical account. Driven by deontic anger, she brings her "so funny" boss back into line, sends out her "short text" on the "reversal of the burden of proof" and informs her superiors about her doubts concerning the ethics of her line manager. It is clear in her mind that she must take action. She scarcely wonders how to act; she decides as she is acting.

When faced with what she considers as being belittling talk from her boss, she realises that no one is brave enough to contradict him despite the fact that, deep down, no one really approves of it. So, she spoke up: "I said: '[...] it's against my ethics, you can't talk like that in front of me'". She relied on the assent of her colleagues. She spoke to them indirectly and asked them to endorse her point of view. She spoke directly to the perpetrator of the violation deeming that he was best placed to modify his behaviour. She was successful, at least on the face of it as, according to her, he was ironical about her prudishness, in her presence, and very probably, when she was not there, continued to talk about people behind their backs. She was not taken in by his double standards. There may be some doubt surrounding the effectiveness of her speaking out. Nevertheless, under the impetus of deontic anger, Inès de Chambertin was convinced of the importance of her action.

Faced with "reckless risk-taking" that, according to Inès de Chambertin, was permitted by the "reversal of the burden of proof", she was surprised that those of her colleagues, who still followed the bank's line as it was when she arrived, accepted the situation. She says "At that time, I wrote a short text about the problems I had noted". She sent it to her contacts, showed it to a director and conducted a "little battle by email which was not seen from the exterior", to encourage them to assume their responsibilities. She appealed to her contacts' professional conscience but nothing changed. She appeared unaffected by this; she did what she was responsible for. Here again, we can wonder as to whether her speaking out was effective. As she was driven by deontic anger, she still considers that it was justified.

Faced with what she considered to be pressure from her line manager to increase her ratings, Inès de Chambertin focused on the substantive issue, namely the "ethical definition of her duties" and the "awareness of risks" that all analysts should have, rather than on what she saw as the verbal harrising, the withdrawal of benefits, emotional intimidation and even physical violence. She started with passive resistance, leaving him at liberty to revise her ratings himself. She behaved in the same way as before and simply pointed out his responsibilities, once again in vain. However, when he complained about her insubordination, she felt obliged to set out the facts as she saw them. She explained to her second line manager that "He's too business oriented. I don't believe that he has a risk-based mentality". She thought that her superiors would act in good faith and be prepared to reconsider this issue, and even find that her line manager was in the wrong. She did not imagine that her superiors would carry out their threats ("even at the dismissal interview, I still thought that it was intimidation and that they wouldn't dare to fire me"). The facts proved her wrong. It was only later, when she had tried all the internal appeal channels, that she brought the case before the courts. It was only step by step that she appealed at a higher regulatory level. And, each time, she was acting out of a sense of duty, under the impetus of deontic anger.

To sum up, Inès de Chambertin believed that there were violations which were being covered up by organisational silence. She felt deontic anger and spoke up. She initially talked to the perpetrator of what she deemed to be a violation and then to her superiors and so on and so forth. She considered that it was her duty not to let the alleged violation continue.

### Discussion, recommendations and conclusion

Let's summarise what we have learned from Inès de Chambertin's biographical account. We were looking to better understand the decision to speak out taken by whistleblowers who are sensitive to values and who have a social conscience. We chose her case as she appears to be representative of this type of whistleblower. The examination of her biographical account suggests that they perceive the act of whistleblowing as a matter of

justice. Having witnessed what they consider to be an injustice, they feel deontic anger and disclose what they deem to be a violation to the in-house persons who can put a stop to it, or then to external bodies in the event of organisational silence.

### The role of deontic anger in the disclosure decision

We still have to examine the question of weighing up the advantages and disadvantages. Nothing in Inès de Chambertin's account suggests that she did this or even that she was aware of this factor. Of all the literature, only Henik (2015) states that whistleblowers do not compare the pros and cons before making the disclosure. She conducts a quantitative analysis of 47 cases and cites Goldberg *et al.* (1999) by using the terms "strategic moral guardian" and "fed-up vigilante" to distinguish two whistleblower profiles. The first behave strategically when it comes to speaking out outside the firm. They weigh things up but this calculation does not relate to whether or not to make a disclosure, as the majority of the literature posits, but to the best way of achieving the result by mitigating reprisals. The second act out of anger at the reprisals and do not weigh things up.

We consider that Inès de Chambertin is more of a "strategic moral guardian" than a "fed-up vigilante", or at least she tries to be. She sought to distance herself from any personal anger so as to avoid it being said that her disclosure was for ends other than remedying the violation that she mentions. It is clear to her that she had to do her utmost to bring an end to the violation despite the reprisals she faced. If she did indeed reflect or deliberate, it was about the best way to blow the whistle and not about whether or not to make the disclosure.

Our examination of Inès de Chambertin's biographical account supplements the quantitative work of Henik (2015) which gauged the extent of the overall anger of whistleblowers and matched it to the fact that they usually follow extra-organisational principles when making an external disclosure. Our work enables us to describe Inès de Chambertin's anger in detail and to classify it as deontic in reference to the concept put forward by Folger and Cropanzano (1998, 2001) and Folger *et al.* (2005). The analysis shows that she felt such anger in respect of successive issues even before an external disclosure. This means that her case, together with the results of Henik (2015), point to a type of whistleblower who does not weigh up advantages and disadvantages but is strongly motivated by deontic anger.

Does this conclusion conflict with the remainder of the literature which asserts that witnesses who are sensitive to values and display prosocial behaviour weigh up the advantages of having the violation stopped against the various disadvantages connected with its disclosure? In itself, stopping the violation was an advantage for Inès de Chambertin due to her prosocial motivation. What is more, it would appear that she underestimated the risk of reprisals. Does this mean that she assessed one or the other and then compared them? If this was

the case, this was not how she explained the situation. Perhaps she weighed things up without being aware that this is what she was doing. The focal point of her case is the deontic anger that drove her when she decided to blow the whistle. We wonder if her deontic anger did not make her, more or less consciously, over-estimate the advantage and under-estimate the drawbacks to such an extent that stopping the violation became, in her opinion, self-evident. We touch upon the matter of the perception and expression of feelings and their inclusion in understanding the events and their analysis, namely emotional intelligence (Mayer and Salovey, 1997). The notion of emotional intelligence could be used in future research to examine the whistleblowing decision and the part played by deontic anger.

### Factoring in employees' deontic anger

Inès de Chambertin's biographical account highlights the importance of acknowledging the deontic nature of the anger that drives the whistleblower in order to, at least, avoid a personal injustice and, at best, collect the information provided by the whistleblowing (Lindebaum and Gabriel, 2016).

To look into this importance, let's describe the potential reaction of a manager when they receive a disclosure. They consider the alert as an explicit questioning of a part of the company and an implicit criticism of their failure to act. Their initial reaction is doubt: why trust the whistleblower rather than teams that have proved their worth? (Miceli *et al.*, 2009). Their second reaction is fear of the extent of the whistleblower's anger or even their vengeance (Geddes and Stickney, 2011). They may try to silence the whistleblower or to have them dismissed. In this case, the manager does not see the deontic nature of the anger that can drive whistleblowers whose nature is characterised by sensitivity to values and prosocial motivation. They ignore the information they provide on the seriousness of a potential violation and lose the opportunity of making their company more compliant with the expectations of its stakeholders. If they carry out reprisals, they add personal injustice to the deontic injustice felt by the witness and personal anger to their deontic anger, and provoke the situation they were worried about. This is what Inès de Chambertin felt, especially at the time of her third disclosure. According to her, her superiors ignored the importance of the facts that she brought to their attention. And, as she persisted, she was dismissed for, again according to her, "having made serious accusations against her superiors". On the basis of her biographical account, we can infer that they did not understand the rationale for her approach, that they failed to see that she was driven by deontic anger and that they had provoked her personal anger.

Although Inès de Chambertin's disclosures are clearly whistleblowing as defined by Near and Miceli (1985), they are not ethics alerts within the meaning of French regulations at the time which were highly restrictive for reasons dating back to dramatic events in France's history (de Bry, 2008). The examination of the biographical account does not reveal whether Inès de Chambertin's

superiors acted in good faith. If they did, they could have viewed her disclosures as deviance (Babeau and Chanlat, 2008, 2011) from the counterparty risk analysis practices that they considered to be set in stone: she was objecting to business practices which they felt to be normal. There was a conflict as the parties' explanations and justifications were unable to convince them mutually (Chateaufreynaud, 1991). According to Inès de Chambertin, her bosses attempted to force her hand. She says that she resisted but did not have sufficient authority to succeed as she lacked the required support and allies (Boltanski *et al.*, 1984).

The question remains as to whether Inès de Chambertin can be considered to be a moral entrepreneur or at least a rule promoter. On the one hand, she "call(s) the public's attention to these matters [which were harmful to the group in question], [attempts to] supply the push necessary to get things done, and [to] direct such energies as are aroused in the proper direction" (Becker, 2020, p. 162). However, on the other hand, she sought, in her opinion, to restore the entire rule rather than change it. If we look at the interlinking of social groups, the "voice", as we have seen, can be viewed as a conflict of allegiance. The inner group no longer recognises the former rule and may consider the whistleblower as a moral entrepreneur. The outer group may believe that whistleblowers are not rule promoters but that they supplement and pave the way for the action of "professional [rule] enforcers" (Becker, 2020, p. 163) to restore the rule within the inner group. Both deviance and loyalty are relative to the group in question.

## Conclusion

If a business is looking to consolidate its "license to operate", it must take account of disclosures by its employees of actions that its stakeholders would deem to be illegal, immoral or illegitimate. It must pay attention to the alerts, especially when they are driven by anger, even if this anger can be frightening or appear inappropriate. Anger can, in fact, point to an injustice of personal or deontic origin which the company has every interest in dealing with. It should be particularly attentive to the whistleblower's deontic anger spurred essentially by prosocial motivation.

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