

Ethical Issues – Whistle Blowing

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Abstract

Review Article

Whistle blowing is a phenomenon that occurs when an individual for some moral or ethical reason exposes the wrong that is occurring in an organization. Whistle blowing can be internal or external. Internal whistle blowing occurs as an act of corporate loyalty. External whistle blowing is considered an act of loyalty to the public and disloyalty to the organization. Whistle blowing should be a good faith act without malice or vindictiveness. Whistle blowing is harmful to the whistle blower if it is external. The damaging effect of whistle blowing to the whistle blower include loss of financial income, social isolation, psychological trauma, and a loss of chance of future employment because prospective employers perceived them a trouble maker. The decision to become a whistle blower is a personal one and is guided by one's moral and ethical standing. Although external whistle blowing can affect the product/policy of an organization it is encouraged to protect the public. This short communication/review was initially submitted to Fischler College of Education, Nova South Eastern University in partial completion for the degree in Adult Education and examines the concept of whistle blowing, reasons for whistle blowing, and when and how it is acceptable and encouraged. The critique of whistle blowing informs of its benefits and harms to the whistle blower and the organization regardless of whether it is internal or external. The conditions whereby whistle blowing is morally and ethically permitted are explained. Whistle blowing is legally protected in some countries, for example the United States of America. Conclusively, I recommend that internal whistle blowing should be encouraged and protected by every corporate entity. Loyalty to the public is a strong purpose for external whistle blowing.

Keywords: Moral, ethical, internal, external, loyalty, disobedience, immoral practice, organization, corporation.

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INTRODUCTION

Fisher and Lovell (2002) defined a whistle-blowing act as the release of confidential information to an external third party, often but not exclusively the media. Fisher and Lovell (2002) also emphasized that a whistle blowing act can be a conversion, a remark, even to a colleague, or a family member, in which organizational information, unknown to the person participating in the conversion is revealed. De George (1999) and Fisher and Lovell (2002) informed that whistle blowing could be internal or external.

De George (1999) informed that internal whistle blowing is done as an act of corporate loyalty. De George (1999) also reported that internal whistle blowing involves disloyalty or disobedience to the whistle blower's immediate superior or disloyalty to the whistle blowers' fellow workers. De George (1999) emphasized that internal whistle blowing is usually done with the intention to stop dishonesty or some immoral practice or act to protect the interest and reputation of the

organization or to increase the organization's profit. De George (1999) informed that internal whistle blowing is the only avenue available to subordinates to report on the misgivings of their immediate superiors or their fellow workers. Ravishankar (2005) emphasized that internal whistle blowing should be encouraged because it allows employees to report on unethical and illegal practices, bringing them to the forefront before they become fatal to the organization.

Ravishankar (2005) outlined three major objectives of an internal whistle-blowing program. These objectives are, (a) to encourage workers to report ethical and legal violations known to them to an internal authority so that action could be taken immediately to resolve the problem, (b) to minimize the organization's exposure to the potential damage that could occur when employees circumvent internal mechanisms; (c) to inform employees that the organization is concerned about adherence to its' code of conduct. Ravishankar (2005) informed that there are six potential barriers to the

successful implementation of an internal whistle blowing program. These barriers are (a) the lack of trust in the internal system, (b) the unwillingness of workers to be informants, (c) workers being misled by unionism, and upholding solidarity, (d) workers tend to believe that management is not held to the same standard, (e) fear among potential informants of retaliation, and (f) fear among potential informants (whistle blowers) of alienation from their peers. Ravishankar (2005) emphasized that although corporations/organizations should try to remove such barriers it must be recognized that some whistle blowers do not have honorable motives.

For internal whistle blowing to be successful the organization must have or create a whistle blowing culture. Ravishankar (2005) reported that there are five major considerations for creating an internal whistle blowing culture. These are, (a) organizations should create a whistle blowing policy, (b) they should be an endorsement for whistle blowing from top management including the Chief Executive Officer, (c) the organization's commitment to whistle blowing should be publicized with regular disclosure of the policy, (d) all allegations should be investigated with follow up responses, and (e) there should be a continuous assessment of the organization's internal whistle blowing mechanisms through workers opinions. The latter four steps are self-explanatory, however, the concept of creating a whistle blowing policy needs further discussion. Ravishankar (2005) reported that the creation of a whistle blowing policy requires that, (a) there are formal mechanisms for informants to report violations, such as hot lines and mail boxes, (b) there must be clear communication about how to voice concerns, such as the specific chain of command, or an identifiable person in the organization, such as an ombudsman or human resource specialist, and (c) there should be ban on retaliation and it should be well communicated to all employees.

External whistle blowing occurs when someone in an organization who witnesses behavior by members that is in opposition to the mission of the organization, or threatening the interest of the public, and the individual decides to speak publicly about it. De George (1999) and Fisher and Lovell (2002) mentioned five conditions for the justification of external whistle blowing. These conditions apply when,

- (a) The product or policy of the organization will inflict serious and considerable harm to the public.
- (b) The concerned employee after identifying the threat of product or policy, report it to his or her immediate superior and make his or her moral concern known.
- (c) If the immediate superior fails to act effectively about the concern or complaint, the employee/potential whistle blower should

exhaust all the internal channels of the organization, for example senior managers.

- (d) The prospective whistle blower must have documented evidence that would convince external audiences that the product or policy possess a danger to the public.
- (e) The prospective whistle blower must have good reasons to believe that by going public the necessary changes will be brought about in the organization.

Fisher and Lovell (2002) added a sixth dimension to pursuing and justifying external whistle blowing. This added requirement is that the whistle blower must be acting in good faith without malice or vindictiveness. The Whistle Blower Protection Act of 1989 protects whistle blowing in the United States of America.

Critique of Whistle Blowing

De George (1999), Fisher and Lovell (2002) and Birch and Fielder (1994) reported that whistle blowing occurs at a tremendous lost to the whistle blower. Fisher and Lovell (2002) informed that the damaging effects of whistle blowing include such losses as financial income, social isolation, psychological trauma, and the loss of the chance of future employment as prospective employers as troublemakers deem them. The decision to blow the whistle is thus a personal one and is guided by ones' moral and ethical standing. To make a decision on whistle blowing one must have moral courage. With this in mind, the author believes that Kidder (2005) seven check points should be taken into account with respect to standing for moral principle. Moral principle is a necessary condition for whistle blowing. In accordance with Kidder (2005), the author believes that the prospective whistle blower should, (a) assess the situation, (b) scan for pertinent values, (c) stand for his or her conscience, (d) contemplate the personal dangers, (e) contemplate the endurance of personal hardships, (f) try to avoid the pitfalls, and (g) develop the moral courage. The above seven factor should be taken into account before attempting to whistle blow.

De George (1999) based on five justifications outlined conditions when whistle blowing is not permitted, when whistle blowing is morally permitted, and when whistle blowing is morally required. De George (1999) informed that external whistle blowing is not permitted if the whistle blower does not report his or her concerns to the immediate superiors and exhaust all channels within the organization before going public. Such a situation would lead to a violation of company loyalty and trust. That is, internal whistle blowing channels must be exhausted if they exist.

De George (1999) reported that external whistle blowing is morally permitted if the following three

conditions are met. These are, (a) the product or policy of the organization would inflict serious and considerable harm to the public, (b) the concern employee after identifying the threat of product or policy report it to his or her immediate superior and make his or her moral concern known, and (c) if the immediate superior failed to act effectively about the concern or complaint and all internal channels were exhausted. De George (1999) emphasized that external whistle blowing is morally permitted and obligatory if in addition to the first three the final two conditions are met. These are, (a) the prospective whistle blower have documented evidence that would convince an external audience that the product or policy possess a danger to the public, and (b) the prospective whistle blower must have good reasons to believe that by going public the necessary changes will be brought about in the organization.

Fisher and Lovell (2002) recommended that the whistle blower should be acting out of good faith, without malice or vindictiveness. This is important because any such charges would reduce the credibility of the whistle-blowing act. Additionally, memories should not be published because they imply that the whistle blower is seeking financial gains.

CONCLUSION

Whistle blowing is harmful to the whistle blower as well as the organization if it is external. However, internal whistle blowing should be encouraged with appropriate systems in place and this could save an organization from harm. When internal channels fail and the whistle blower goes public with the necessary documentation, after following the steps outlined by De George (1999) the harm to an organization is usually costly.

The whistle blowers' risk social isolation, financial hardship, loss of employability, because they are perceived as troublemakers and sometimes-psychological trauma. It is advised that before

committing a whistle blowing act, whistle blowers should scrutinize the seven steps to moral principle as outlined by Kidder (2005). Internal whistle blowing means that the whistle blower is disloyal to his or her immediate superior and fellow workers. External whistle blowing, when applied according to the justifications of De George (1999), shows loyalty to the public and disloyalty to the organization. Internal whistle blowing should be protected by all organizations –corporate and otherwise. Due to the importance of whistle blowing in the modern civilization whistle blowers –internal and external should be protected by the appropriate laws in all countries-developed and developing. Sealy (2025) expressed concern that the modern civilization is in moral decline. This reinforced the idea that whistle blowing should be protected and encouraged in this modern era.

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