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Whistleblowing: What Have We Learned Since the Challenger?

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The tenth anniversary of the Challenger disaster in January of 1996 brought renewed attention to Roger Boisjoly, the engineer who is perhaps the most widely known whistleblower. Many people are now familiar with details about how the launch went forward in unusually cold temperatures against the recommendation of the engineers. Going over the events again, we look for lessons or at least points that deserve more emphasis. One such point is that it is difficult to say what defines an action as whistleblowing. A second is that whistleblowing is not only excruciatingly difficult, from a practical point of view; it is also morally complex. One modest guideline emerges from exploring these points.

What is whistleblowing? The word carries strong images -- the sharp sound of a whistle giving a warning of harm or calling a halt to actions that have gone out of bounds. Yet, those are not apt images for Roger Boisjoly's heroic action. What he did that branded him as a whistleblower was to tell a Presidential Commission after the disaster his story of the events that had led to the disaster. The tragedy he had warned against had already occurred. In the face of strong opposing pressure from top officials of his company, he gave the commission his history of the O-ring problems and the decision to launch. Generally, the whistleblower's action is forward looking. While Boisjoly's account had implications for the redesign of the shuttle in the future, it served chiefly to explain how the terrible failure, both technical and moral, had occurred. It seems that the high visibility of that very serious failure and of Boisjoly's disclosure helped to put his report in the category of whistleblowing.

The warning whistle which Boisjoly and some of his colleagues sounded in the off-line caucus during the teleconference before the launch does not count as whistleblowing. Why is that? It may be because the term whistleblowing is reserved for actions of disclosure when the whistleblower steps outside of approved organizational channels to reveal a significant moral problem. Warning against the launch in the off-line caucus during the teleconference was acting within approved channels. This interpretation is confirmed by Boisjoly's later comment that once the decision to launch had been made, he and the other engineers in Utah fell into line, as expected, and accepted the decision. It would have been a violation of accepted procedures to continue to oppose the launch. Should we say then that his testifying later before the Presidential Commission was stepping outside of approved channels? Through outside company channels, Boisjoly spoke up in a legally legitimate, appropriate forum. He did not go outside approved channels; rather, the account he gave was not the approved account.

Another instance will underscore the difficulty of fashioning definitions that fit the intricacies of actual circumstances. Boisjoly's colleague, Allan MacDonald, Morton Thiokol's liaison for the Solid Rocket Booster project at the Kennedy Space Center is not widely known as a whistleblower. Absent from the fateful caucus in Utah, he was on the job at the Kennedy Space Center. However, after the managers in Utah made the recommendation to launch, he continued to argue for delay, saying that if the mission failed, he would not want to have to explain to a board of inquiry the decision to launch. Did he violate procedures or go outside approved channels? It would seem so, but his action did not result in his being labeled a whistleblower.

If it is a distinguishing mark of actions labeled whistleblowing that the agent intends to force attention to a serious moral problem, both Boisjoly's and MacDonald's responses qualify. This feature is the foundation of the public's interest in whistleblowing. By bringing such serious problems to light, whistleblowers contribute to protecting the public's welfare. There have been instances of serious moral problems that were well known inside companies but did not get exposed for lack of a whistleblower. An example is the DC-10 cargo door problem that was implicated in the crash near Paris which took 346 lives in 1974. Organizations offer settings in which problems with potential for catastrophe can slowly ripen and somehow remain unattended to and unexposed even though many people in those settings are aware of the problems.

Occasions when the whistle was not blown bring to mind yet another feature of whistleblowing -- retaliation against the whistleblower. This is a predictable sequel and a strong deterrent. Boisjoly suffered retaliation from Morton Thiokol. The head of the Presidential Commission was moved to bring Morton Thiokol's treatment of him to national attention. In spite of this public reprimand, or maybe because of it, Boisjoly's situation did not improve. Retaliation may be the most predictable feature of whistleblowing, perhaps enough

to make it a defining feature.

When whistleblowers make their disclosures, others stand accused. People who feel accused or allied to those accused tend to hit back. That deflects attention from the accused. Retaliation is very damaging. That is why advice to whistleblowers includes the recommendation that the whistleblower resign in advance of or in conjunction with blowing the whistle. Yet, as Roger Boisjoly demonstrates, some whistleblowers manage not only to survive, but to make new careers. In the aftermath of the Challenger disaster, Boisjoly prepared for and passed the Professional Engineer's examination.

The predictability of retaliation points to the moral complexities of whistleblowing. Both the accusation and the retaliation produce injury. Accusations not only threaten the careers of those on whom the whistle is blown; they also disrupt collegial relationships and other informal relations and networks. Nevertheless, the whistleblowing may be morally justifiable when the moral wrong exposed is very serious. Retaliation injures whistleblowers, spouses, and those who depend on whistleblowers' earnings. One could argue that the potential whistleblower is obligated to include these family members in the process of reaching a decision about blowing the whistle.

Since whistleblowing can be so damaging, many have tried to devise mechanisms in organizations to deal with "bad news" and undercut the need for whistleblowing. Yet, Robert Sprague, a whistleblowing scientist who successfully returned to his career after suffering retaliation, has observed that there will always be devious people whose conduct in specific circumstances will give rise to the need to blow the whistle.¹

It is part of the moral complexity that whistleblowing presupposes that somewhere there is someone with appropriate authority who will appreciate the moral importance of the disclosure and will respond. Sometimes this is a naive faith in the employer's top management, a failure to realize the extent of local corruption. Yet, it is important to recognize that whistleblowing is premised on background conditions that uphold standards of morality. Some observers suggest that appropriate background conditions can be provided by laws that protect those who blow the whistle to protect the public. However, the many laws already enacted to protect whistleblowers have not changed it from being a dangerous undertaking.

Why has whistleblowing drawn so much attention in engineering? Part of the answer is that it dramatizes the moral situation of many engineers. Built into codes of ethics, engineering education, and technical practice is an orientation toward safety. The technical knowledge and organizational positions of engineers enable them to detect serious moral problems that affect the public welfare. Yet, engineers' organizational positions are such that they cannot bring appropriate attention to serious problems they detect unless they can convince others to react. Whistleblowing so naturally comes up as an option that instructors of engineering

ethics pay careful attention to fostering in students the skills of persuading, negotiating, and allying with colleagues that support other options.

Finally, what guidelines for potential whistleblowers can we extract from this survey of issues? We should notice that in actual circumstances practical aspects are interwoven with moral aspects. The reasons for involving family members in deciding whether to blow the whistle are both practical and moral. This is also true of a crucial piece of advice for any potential whistleblower: to keep full and accurate records. Boisjoly has said, "I was the only one who had real-time notes on the [pivotal] meeting that took place... When I turned in my memos, the whole complexion of the investigation changed. They could no longer just look at the technical causes. They had to go and address now what kind of management tomfoolery had been going on.² And the scientist, Robert Sprague, has said, "One of the characteristics of the successful whistleblower is that they're compulsive record keepers. And that often turns the tide."³

1. Robert Sprague, Personal communication to author.
2. Franklin Hoke, "Veteran Whistleblowers Advise Other Would-Be Ethical Resisters," *The Scientist*, May 15, 1995, pp. 1 and 15.
3. *ibid*

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