

# Whistleblowing and "the insider"



Lori Nagel Philosophy 342 November 4, 2011 Whistle-Blowing and The Insider The Insider tells the story of Jeffrey Wigand, a scientist and executive with Brown and Williamson, a major tobacco manufacturer, who decides to come forward and "blow the whistle" on "Big Tobacco." His testimony in the Mississippi's lawsuit against the tobacco companies revealed that the CEOs of these companies knew the addictive affects of cigarettes, despite their testimony to the contrary in front of a Congressional hearing. However, this whistle blowing presents many moral and ethical problems.

This paper will not only present those issues, but the justifications for whistle-blowing and whether or not Wigand was justified in his whistle-blowing; whether or not he is credible; the importance of his family as shown in the film; how Wigand and Lowell Bergman, producer of "60 Minutes" and the person who convinces Wigand to come forward, feel about confidentiality agreements; and, lastly, what kinds of conflicts of interest Wigand engages in when he comes forward. Both Wigand and Bergman face some serious moral and ethical dilemmas in this film.

Firstly Wigand, in order to "blow the whistle," has to violate the confidentiality agreement that he signed during his employment with Brown and Williamson. "Blowing the whistle" also means putting his family's financial stability in jeopardy. When mentioning his concerns with coming forward to Bergman, Wigand actually states that he is putting his family's "welfare in jeopardy" (The Insider). However, if he does not come forward, then information about how Brown and Williamson ignored "health concerns consciously" (The Insider) would not be revealed, and the addictive affects of smoking would remain a secret.

Getting this information out is clearly in the public interest. While Wigand ponders whether to forsake his family's future for the sake of the public good, Bergman has his own moral dilemma. As a producer for "60 Minutes," he really wants to get the exclusive story, but he understands that to do so puts Wigand in a precarious situation. Wigand even calls him out on this when, speaking during dinner, he tells Bergman, "I'm just a commodity" (The Insider). The need to balance a work priority with the interests of peers can sometimes be a problem.

I am currently experiencing such a dilemma. I have been put in a supervisory role at work and assigned my first employee. This person not only doesn't have the skills needed to fulfill the job requirements, but she also has, after only one week on the job, made some pretty serious mistakes. However, she is a very nice person, and I found out recently, that she lost her home and is currently having to relocate to an apartment. It will be impossible for me to hand over any more of my duties, as I am required to do, because this employee does not have the necessary skills to do the job.

If she loses the job, however, her financial position will become even more precarious than it already is. The essence of this dilemma is very similar to Bergman's: Fulfill the needs of the job without seriously jeopardizing the other interested party. Each choice must be justified which is the next aspect of discussion. Our text, "Ethics and the Conduct of Business," state that the following conditions must exist before whistle-blowing can be considered justified: 1. A Sufficiently Morally Important Situation 2. Understanding of the Significance of the Facts Involved 3.

Exhaustion of All Internal Steps Short of Whistle-Blowing 4. The Best Way to "Go Public" is Defined 5. The Responsibility of the Whistle-Blower in Terms of Their Role in the Organization is Defined. 6. A Reasonable Chance of Achieving Some Public Good Exists Having the information that cigarettes are addictive, and that tobacco manufacturers not only knew it, but attempted to increase those affects, definitely presents a morally important situation. Secondly, Wigand had the knowledge and understanding of how significant the facts he found were.

He tried to communicate this importance and get the dangerous ingredient removed by issuing a memo to the CEO of Brown and Williamson, which exhausted the third condition for justification of whistle-blowing, was not only ignored by management, but Wigand was fired because of it. Going public with the information he had was fairly easy to Wigand, because Bergaman had come to him previously looking for his help in deciphering some other tobacco company documentation. Since "the wrongdoing concerns matters over which the employee [Wigand] has direct responsibility" ("Ethics and the

Conduct of Business, pg. 99), Wigand had an obligation to "blow the whistle." Lastly, since Wigand was not only coming forward on "60 Minutes," but also testifying in Mississippi's case against the tobacco company to recoup some of the Medicaid costs for treating smoking-related health effects, he had a pretty good chance of achieving a public good. Since all of these "conditions for justified whistle-blowing" ("Ethics and the Conduct of Business," pg. 97) are met, and since there are no other issues which would discredit him, Wigand should be considered a credible whistle-blower.

All throughout the film, Wigand must balance the needs of his family with his obligation to "blow the whistle" on Brown and Williamson. Wigand's family is incredibly important to him, and it crushes him that his decision to come forward tears his family apart. One of the reasons that family is featured so heavily in the film is that family tends to be our greatest motivator and our reason for doing many things. I know that my working and returning to school is to provide a better life for my family. Unfortunately, this means spending some evenings away from home in class and missing certain activities.

Sometimes our priorities as workers and family members collide, as we see in the film. We can only do our best to try and balance and adjust priorities whenever necessary. The interests mentioned above can sometimes be in conflict with each other. Wigand experiences this with his family.

Additionally, his whistle-blowing puts him in direct violation of the confidentiality agreement that he signed during his employment with Brown and Williamson. Wigand takes his commitment to this agreement very seriously, even stating that "I honor agreements" (The Insider) during his initial meeting with Bergman.

Bergman, however, has contempt for such things, and, after being if such agreements exist at CBS, states, "between journalists and management, yes I believe they do. But I don't take that seriously." The difference between the two men is striking. Wigand is hesitant to do anything to break his agreement or endanger his family, while Bergman doesn't much care and will do anything necessary. The only time, in fact, that Bergman seems to

take Wigand's interests to heart is when he gets Wigand some personal security.

The ironic thing about this film is that Wigand's story came out in the end, but only after Bergman himself became a whistle-blower and gave information about how CBS had refused to air Wigand's interview, because of pressure from the CBS legal department, to other news outlets. This simultaneously created a conflict of interest while resolving another. By abandoning his loyalty to CBS, he reinforced his loyalty to Wigand, cleared Wigand's name, and managed to uphold journalistic standards of ethics, all at the same time.