

Whistleblowers and their role in creating a fairer society

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THEME

The lesson plan aims to familiarize students/participants with the phenomenon of whistleblowers in the modern world. Furthermore, it encourages students/participants to think and discuss the motivation behind the whistleblowers' actions, the choices the whistleblowers made, the personal conflicts they faced and the consequences their actions caused. At the same time, students/participants are encouraged to express their views and judgments about what is more important for the development of a fairer society: data secrecy or transparency. Furthermore, the lesson plan also raises the issue of individual responsibility in situations of injustice, that is, students/participants are encouraged to re-examine their own attitudes and actions at times when they witness injustice.

CONTEXT

Article 19 of the Universal Declaration of Human Rights reads: "Everyone has the right to freedom of opinion and expression; that right includes the freedom to hold opinions without interference and the freedom to seek, receive and disseminate information and ideas through any media and regardless of frontiers." In this context, the connection between whistleblowing and human rights is twofold: there is a need to protect the personal rights of whistleblowers, but also to understand whistleblowing (alerting the public) as a specific form of struggle for human rights.

Despite the clear connection between human rights and whistleblowing, sometimes the activities of whistleblowers are not perceived by the public as human rights, but the persons and actions of whistleblowers are trivialized by discussions about whether they are heroes or traitors, and there are countless examples of violations of whistleblowers' human rights (retaliation, terminations, threats, lawsuits, arrests, threats to security and privacy, etc.). Therefore, it is necessary to think and discuss the motivation of whistleblowers despite the danger of potential violation of their rights, as well as the conflicts they face when protecting the public interest. At the same time, it is necessary to discuss with the students/participants whether these actions can be compared with their own attitudes and actions at times when they witness injustice.

GOALS

- Students/participants understand the importance of whistleblowers for the development of a fairer society
- Students/participants understand the role of whistleblowers in building or consolidating democratic societies or regimes
- Students/participants argue about the questions raised while accepting different points of view and perspectives
- Students/participants use the acquired knowledge and skills to act as responsible persons towards their fellow citizens and communities.

LEARNING OUTCOMES

Students/participants will be able to:

- Define the term whistleblower and transparency
- Identify the motives, choices, challenges and conflicts that whistleblowers faced in situations of defending the public interest, as well as the consequences that their actions caused
- Argue their case in a debate

METHODOLOGY

- Oral presentation
- Text analysis and writing a paper using a table
- Debate
- Group and individual work

MATERIAL AND EQUIPMENT NEEDED

Teaching materials (appendices)
Black or smart board

Overview of activities (process)

Duration: 90 minutes

Introduction: 15 minutes

The teacher/educator announces to the students/participants the topic and methodology.

The teacher/educator will then distribute the materials from Appendix 1 (Florence Hartmann: Who are the whistleblowers?) to the students/participants and ask them to read the text individually. After reading, he/she/they will encourage the students/participants to talk, taking into account the following questions: What definition of a whistleblower does the author offer in the text? How does Transparency International define whistleblowers? What are the characteristics of whistleblowers and what can they face in their actions?

Main part: 40 minutes

The teacher/educator divides the students/participants into smaller groups (depending on the number of students/participants) and distributes materials with examples of whistleblowers to each group (one example per group). Examples of three whistleblowers (Chelsea Manning, Frances Haugen and Ankica Lepej) can be found in Appendix no. 2, but the teacher/educator can use his/her own examples or ask the students/participants to research examples of whistleblowers that they would like to cover before the lesson.

After reading the texts and the statements/quotes of the whistleblowers, students/participants fill in the table below the texts, which will help students/participants identify the motives, choices, challenges they faced, the consequences their actions led to, as well as their own reflections on their actions.

Using the data from the table, the students/participants present their findings about the fate of whistleblowers to the rest of the class and answer additional questions.

Debate: 30 minutes

After the presentations on whistleblowers, the teacher/educator will encourage a debate on the following topic:

In a democratic and just society, full transparency is required, even at the expense of national security. (Different methods of debate in class are described in detail by Maja Nenadović: Use of the debate method in class - <https://teachjustnow.eu/wp-content/uploads/2023/10/12.-Using-Debate-Method-in-the-Classroom.pdf>). After completing the task, the teacher/educator gives a brief overview of the topic about whistleblowers and summarizes the arguments from the student/participant debate.

Conclusion: 5 minutes

The teacher/educator encourages the students/participants to remember and describe a situation of injustice from their own life, as well as to explain how they reacted (or did not react) in that situation. It is desirable for the teacher/educator to additionally explain that students/participants should describe situations from everyday life and to clarify that responsibility stems from the choices made by each individual. In the same way, the teacher/educator explains to the students/participants that such acts are not performed only by "famous" and "great" people, but that the path towards a fairer society is formed based on everyone's decisions and choices.

ASSESSMENT AND EVALUATION OPTIONS

The quality of reading comprehension can be evaluated based on the students'/participants' written work (the table they fill out). Furthermore, the quality of presentations, arguments in a debate, as well as the quality of homework can be evaluated.

HOMEWORK IDEAS

For homework, students/participants can be given the following tasks:

1. To conduct their own research (using carefully selected literature and sources) the fate of whistleblowers from their local or wider community
2. To create a timeline of the most famous whistleblowers in history
3. To investigate whether and in what ways are whistleblowers protected in their country
4. To design activities to mark the International Whistleblower Day (June 23)

ONLINE ADAPTATION

If you are going to deliver this lesson in an online environment, you can distribute the materials to the students/participants via digital platforms Teams or Google Classroom. These platforms support the option of dividing students/participants into groups, allowing each group to work together, and in the end a representative of each group can present the results of their group using camera. The debate on the proposed topic can also be conducted online because digital platforms allow students/participants to "raise their hands" or use emoticons as means of expressing agreement or disagreement.

APPENDIX NUMBER 1 - WHO ARE THE WHISTLEBLOWERS?

"In order for someone to be able to claim to be a whistleblower, it is not enough to report something, but at the same time, he must also present evidence for his accusations, or at least tangible elements that will justify his suspicions, in front of the public. A whistleblower does not engage in defamation. Otherwise, he is a fraud and the law in France, as well as in Croatia, foresees a severe punishment for him/her. A whistleblower is not a liar and is not motivated by the intention to harm someone, but rather wants to prevent a disaster or stop some questionable actions. He/she/they has either absolute evidence of illegal actions, or still imperfect evidence, tangible signs or, in the case of scientific research, a range of convincing indications that represent alarm signals related to some imminent or impending danger. For the organization Transparency International, which fights corruption and protects those who report it, a whistleblower is a person "who in his professional activity witnesses actions that are illegal or dangerous for the environment, and who, as a citizen, decides to inform the authorities which can stop them about them." (pp. 14 and 15)

"For some, a whistleblower would also be someone who exposes an alarm signal, as well as persons or groups, be they researchers, activists or journalists, who then pass on that alarm in order to stop a process they consider detrimental. This could also be a professional whistleblower, i.e. someone who enjoys the protections within a risk prevention activist organization or media company (...), as well as someone who is not in such a position, but who, faced with a question of conscience, still picks it up, ready to pay dearly for it. (p. 18)

"...all these people risk their career, salary, private life, and sometimes their freedom. They were abused at work, placed in a less responsible position, stigmatized, humiliated, slandered, fired; their lives are being destroyed. Breaking the silence requires both courage and, always, Sacrifice." (p. 19)

Excerpts are taken from Florence Hartmann's book "Whistleblowers. Unclean conscience of our democracies", Profil Knjiga, part of the Profil International group, Zagreb, October 2014.

CHELSEA MANNING

Chelsea Manning was born in 1987 in Oklahoma (USA) under the name Bradley Manning. She grew up in a dysfunctional family that went through frequent financial problems. Throughout elementary school, which she attended in the USA and England, Chelsea was bullied by her school peers. In high school, she showed a talent for computing and science and after graduation worked briefly as a computer programmer. She joined the US Army at the age of 19 and during her military training experienced humiliation and abuse, which caused her emotional difficulties. Due to a shortage of military analysts in the military, Chelsea Manning was assigned to a US military base in Iraq, near Baghdad, in 2009. Working as a military analyst, she had access to databases containing highly classified information on US military operations in the Middle East. In January 2010, Chelsea downloaded military reports on US military operations in Iraq and Afghanistan from databases to a personal computer, as well as video material showing the killing of Iraqi civilians and two Iraqi journalists by US pilots in 2007 in Baghdad. With the intention of making these materials known to the public, she first approached an American senator, and she also contacted journalists from reputable American newspapers. Given that she did not receive any response from the senators and some newspapers, and was rejected by other newspapers, Chelsea decided to send the downloaded military reports and video materials to the WikiLeaks Internet platform (an international Internet platform for publishing classified/confidential information from anonymous sources). A video of the killing of Iraqi civilians and journalists was published on WikiLeaks under the title Collateral Murder. In addition to this video, Chelsea Manning sent WikiLeaks tens of thousands of classified US military reports, cables exchanged between the US Department of State and US consulates and embassies around the world, and reports that exposed the inhumane treatment of prisoners at the US prison at Guantanamo Bay. In May 2010, Chelsea Manning was arrested and transferred to a prison in Kuwait, where she tried to commit suicide. She was soon detained at the Quantico military base in the US. The United Nations later declared the conditions of her detention at Quantico as a form of torture, and a court reduced her prison term due to the inhumane treatment she experienced in detention. At her trial in 2013, Chelsea Manning was found guilty of espionage and theft, but acquitted of aiding the enemy. She was sentenced to 35 years in prison. In January 2017, US President Barack Obama reduced her prison sentence to four months and set a date for her release. Chelsea Manning was released from a Kansas prison in May 2017. Today, she deals with public relations, development of new computer technologies, and her autobiography was published in 2022. Chelsea Manning is a transgender person who, since 2013, has requested to be called by the new name Chelsea, instead of Bradley, and to be associated with a female pronoun.

Chelsee Manning quotes:

"The most terrible was the bloodthirstiness of that team in the helicopter, their contempt for human life (...) They dehumanized the people they attacked. For example, when they would ask a person who is crawling on the ground to pick up a weapon in order to have a reason to finish them off."

"I began to ask myself questions about the morality of what we were doing because we neglected our own humanity in our great effort to confront the enemy threat."

"In the fight against those we perceived as our enemies, we sometimes killed innocent civilians."

"Every time we've killed innocent civilians, instead of taking responsibility for it, we've chosen to hide behind the veil of national security and classified information so we don't have to be accountable in public."

"Every time we witness an act that we consider unjust and do nothing, we become participants in that injustice."

"The more I read the cables, the more I felt that this kind of information must be made public (...) In addition, most of these telegrams were not classified, and even those that were, were not marked as particularly sensitive. Nothing that could harm the US, I checked."

A conversation between Adrian Lamo, computer professional and hacker, and Bradley Manning: "Should I be considered a hacker, a pirate, a whistleblower, a hacktivist, or what? I'm just me." Lamo answers: "Or a spy?" Manning: "No way, spies don't put information on the Internet to make it available to everyone (...) If I were really evil, I would sell it to China or Russia for a lot of money, but I want people to have access to the truth because the public cannot form an informed opinion and make decisions without information."

"Everything was sent to WikiLeaks. Only God knows what will happen now (...) I hope for some global discussion, debates and reforms. If that doesn't happen, our species is doomed!"

"When I think about my decisions, I wonder how I could have thought that I could change the world even though I was an ordinary analyst (...) I am sorry for the involuntary consequences of my actions (...) I wanted to help people, not harm them. I understand that I have to pay the price."

(Chelsea Manning's quotes are taken from Florence Hartmann's book *Whistleblowers. Unclean conscience of our democracies*, Profil Knjiga, part of the Profil International group, Zagreb, October 2014. Chelsea Manning's statements in this book are written using masculine gender, because they were made before 2013).

FRANCES HAUGEN

Frances Haugen's personal page (<https://www.franceshaugen.com/>) states that she is an "advocate for accountability and transparency in social media." She was born in the United States of America. She studied electrical engineering and computer engineering, specializing in algorithmic product management. She worked on algorithms for Google, Pinterest, Yelp and Facebook. At Facebook, she became part of a team that dealt with the problem of misinformation on social networks and how it affects democracy.

Frances Haugen became concerned with the business of Facebook (now called Meta) when the company axed its public safety and anti-disinformation team. She saw the abolition of this team as a danger to democracy. Therefore, before resigning from Facebook, she accessed the company's internal documents and shared them with The Wall Street Journal reporters. The documents that Haugen provided to journalists supported the claims that the company Facebook prioritizes its own profits over public safety and the well-being of its users, that the company misleads its investors and users by concealing the results of scientific research on the harmfulness of the Facebook and Instagram networks on the mental health of young people and that the spread hate speech via Facebook helped organize rebels to the US Congress in 2021. Frances Haugen herself revealed her identity as a whistleblower on the television show "60 Minutes", and in her four-hour long testimony before the US Senate she made additional claims about the spread of hate speech through the Facebook network (which led to the incitement of ethnic violence in Ethiopia and Myanmar), as well as her demands to make this social network safer for users. Whistleblower Haugen's actions resulted in lawsuits filed against Meta, and US attorneys opened investigations related to user safety. In her speech before the European Parliament committee, Frances Haugen supported the legal Act on Digital Services (which protects users on the Internet and protects their rights, as well as supports the transparency of Internet platforms). She warned, however, that the rules must be strong in terms of transparency, oversight and enforcement, otherwise "we will lose this once-in-a-generation opportunity to align the future of technology and democracy."

(the quote is taken from the site: <https://www.europarl.europa.eu/news/en/press-room/20211107IPR16801/frances-haugen-to-meps-eu-digital-rules-can-be-a-game-changer-for-the-world>)

Frances Haugen quotes:

"The thing I saw at Facebook over and over again was there were conflicts of interest between what was good for the public and what was good for Facebook. And Facebook, over and over again, chose to optimize for its own interests, like making more money."

<https://www.theguardian.com/technology/2021/oct/04/facebook-tearing-our-societies-apart-key-excerpts-from-a-whistleblower-frances-haugen>

"When I look at what I did, this wasn't my plan A. It wasn't my plan B, it wasn't my plan C. It was like my plan J or something," she laughs. "Nobody sat me down and said 'what I want you to do is blow the whistle.'"

"I did what I thought was necessary to save human lives, especially in the countries of the southern hemisphere, which I think are threatened by Facebook prioritizing profits over people. If I had not presented those documents, this situation would never have come to light."

The Guardian newspaper on Frances Haugen's motives for blowing the whistle:

"Her concern about the apparent lack of security controls in non-Western markets, such as Africa and the Middle East, where the Facebook platform has been used by human traffickers and armed groups in Ethiopia, was a key factor in her decision to act."

<https://www.theguardian.com/technology/2021/oct/24/frances-haugen-i-never-wanted-to-be-a-whistleblower-but-lives-were-in-danger>

The Guardian on Frances Haugen:

"Haugen was a successful computer professional, with a resume that included work at Pinterest and Google, but ten years ago she was diagnosed with celiac disease, an autoimmune condition, and in 2014 was admitted to the intensive care unit with a blood clot in her thigh. Her family friend helped her with everyday tasks such as shopping, but their relationship soured as he became obsessed with internet forums spreading conspiracy theories about dark forces manipulating politics. "It was a very important friendship, and then I lost it. It's one thing to study disinformation, but it's quite another to lose someone as a person because of it, she said."

<https://www.theguardian.com/technology/2021/oct/04/how-friend-lost-to-misinformation-drove-facebook-whistleblower-frances-haugen>

"And what's really tragic is that Facebook's own research says that these young women who start consuming this eating disorder content become increasingly depressed. And in fact, that content makes them use the app even more. And so, they end up in this vicious circle where they hate their bodies more and more. Facebook's own research says Instagram isn't just dangerous for teenagers; it harms them, and it is significantly worse than other forms of social media."

"When we live in an information environment full of angry, polarizing, hateful content, it erodes our civic trust, it erodes our faith in each other, it erodes our ability to want to care for one another. The version of Facebook that exists today is tearing our societies apart and causing ethnic violence around the world."

<https://www.theguardian.com/technology/2021/oct/04/facebook-tearing-our-societies-apart-key-excerpts-from-a-whistleblower-frances-haugen>

ANKICA LEPEJ

Ankica Lepej (born in 1948) was, according to several Croatian news portals, the first or most famous Croatian whistleblower (for example, <https://slobodnadalmacija.hr/vijesti/hrvatska/umrla-je-ankica-lepej-prva-hrvatska-zvzdacica-koja-je-nakon-otkriva-ustedevine-tudmanovih-dobila-otkaz-i-kazneni-progon-godinama-se-borila-s-teskom-bolesti-a-onda-i-s-koronom-1160211>). The reason for her whistleblowing was the information about the assets of Franjo Tuđman, which was published in the Croatian press in 1998. After reading the property card of the first Croatian president, Ankica Lepej doubted its authenticity, because it did not mention that the president owned a bank account. So, Ankica Lepej accessed the bank data of Franjo Tuđman and his wife Ankica and discovered that the presidential couple did not report several current and savings accounts in Zagrebačka banka, in which large sums of money in German marks and US dollars were deposited. After the revelation about hidden money in the presidential couple's accounts, Ankica Lepej had to decide: will she break the business secret and expose the knowledge about the funds of the president and his wife, or passively withhold the information she came across? She decided to share her findings with journalist Orlando Obad, who agreed to publish them in Jutarnji list on October 17, 1998. Immediately after the publication of the article, Zagrebačka banka placed a bounty of HRK 1 million for information on the identity of the whistleblower who exposed the business secret. Ankica Lepej decided to reveal her identity as a whistleblower herself, but she refused the award. A few hours after the confession, she was arrested and fired from the bank, without the right to severance pay. In addition, Zagrebačka banka filed a lawsuit against Mrs. Lepej for disclosure of business secrets. The indictment was withdrawn in 2000, after the death of Franjo Tuđman, and the investigation into the false information in his property card was never initiated. In addition to the financial difficulties she was forced to experience as a result of her whistleblowing (she had to sell the apartment she lived in), Ankica Lepej was exposed to the attacks of dissenters, who called her 'a big traitor who just wanted profit and fame'. After the untruth of President Tuđman's property card was exposed, she fought for the unemployed and disenfranchised citizens of Croatia. She described her experiences and her role as a whistleblower in the book "*Istina - Savjest iznad bankarske tajne*" (Truth - Conscience above banking secrecy). Ankica Lepej fell ill and died in 2022.

Ankice Lepej quotes:

"From that terrible moment, when I realized that the president of the country was lying, I became a prisoner of my own conscience."

"Having an information like that in public, especially at the time of presenting property cards, seemed impossible to me. The president's family, at least it seems to me, should be an example to all citizens of how to live modestly in a country without money."

"I don't regret that cry, it was worth it. The public woke up from passivity, HDZ lost the elections, the government was replaced. I only regret the huge price I paid, which society and politics cannot understand."

Statement by Ankica Lepej from 2011:

"The worst thing that can happen to a person is that they agree to betray themselves, their belief and their honesty. In the last 20 years, I've been more hungry than full, I know what starvation is and I don't intend to give up until the end." (<https://slobodnadalmacija.hr/vijesti/hrvatska/umrla-je-ankica-lepej-prva-hrvatska-zvzdacica-koja-je-nakon-otkriva-ustedevine-tudmanovih-dobila-otkaz-i-kazneni-progon-godinama-se-borila-s-teskom-bolesti-a-onda-i-s-koronom-1160211>)

Florence Hartmann about Ankica Lepej:

"There is pride in her because she fulfilled her civic duty, and awareness that she ruined her life in the name of a goal that was still worth all that sacrifice. She says that she would have done the same and that she does not regret her actions at all, even though she had no idea what consequences it would have on her."

(The texts are taken from the book Florence Hartmann, "Whistleblowers. Unclean conscience of our democracies", Profil Knjiga, part of the Profil International group, Zagreb, October 2014.

APPENDIX NUMBER 3. – TABLE FOR STUDENTS/PARTICIPANTS

Name and surname of the whistleblower	Motives that prompted them to whistle	The challenges they faced	The attitude of the public towards them	The consequences of their activities	Whistleblowers' attitude towards their act

APPENDIX NUMBER 4 – DEFINITION

Transparency is the openness of governments, companies, organizations and individuals to public disclosure of their information, rules, plans, processes and actions. In principle, public officials and civil servants, managers of companies and organizations, as well as their boards, have a duty to act visibly, predictably and comprehensibly, in order to promote general participation and responsibility and to enable other parties to see more easily and more precisely what actions are being taken take place.

Characteristic of governments, companies, organisations and individuals of being open in the clear disclosure of information, rules, plans, processes and actions.

As a principle, public officials, civil servants, the managers and directors of companies and organisations, and board trustees have a duty to act visibly, predictably and understandably to promote participation and accountability and allow third parties to easily perceive what actions are being performed.

(<https://www.transparency.org/en/corruptionary/transparency>)



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