

Robert G. Vaughn

The Successes and Failures of Whistleblower Laws



The Successes And Failures Of Whistleblower Laws

Gregor Thüsing, Gerrit Forst



The Successes And Failures Of Whistleblower Laws:

The Successes and Failures of Whistleblower Laws Robert G. Vaughn, 2012-01-01 A new roadmap for understanding the diverse perspectives and disparate bodies of law involved in any legal regime aimed at encouraging people in organisations to speak up about wrongdoing making it possible for them to do so and supporting and protecting them when they do More than just a rich and readable history of whistleblowing laws in the USA and around the world Steeped in Robert Vaughn's personal experience as a lawyer and researcher over a 40 year period this book stands to help solve some of the greatest conundrums in this vital area of legal regulation one of the most complex in modern society but one of the most crucial to integrity accountability and organisational justice in all institutions Compulsory reading for all policymakers regulators corporate leaders researchers and activists engaged in improvement and implementation of public interest whistleblowing laws A J Brown Griffith University and Transparency International Australia Unlike other books on whistleblowing that simply describe and analyze whistleblowing laws Robert Vaughn's new book provides an in depth and unique historical account of the roots of the whistleblowing movement in such disparate events as the Mai Lai massacre the civil rights movement and the experiments of Stanley Milgrim As important he then uses that history to illuminate the competing perspectives and pressures that influenced the passage and interpretation of modern whistleblower laws Vaughn provides a first rate account of the varied and complex reasons for the successes and failures of these laws during the last forty years Richard Moberly University of Nebraska College of Law US Drawing on literature from several disciplines this enlightening book examines the history of whistleblower laws throughout the world and provides an analytical structure for the most common debates about the nature of such laws and their potential successes and failures The author explores the relationship between the actions of whistleblowers and the character of laws protecting them as well as their administration and enforcement The book considers the role of civil society groups in the successes of whistleblower laws and how current controversies reflect issues attached to these laws over half a century This study contains perspectives from which successes and failures can be evaluated and will appeal to policy makers scholars whistleblower advocacy and other civil society groups as well as anyone with a general interest in the subject Research Handbook on Transparency Padideh Ala'i, Robert G. Vaughn, 2014-08-29 The expert contributors identify the goals purposes and ramifications of transparency while presenting both its advantages and shortcomings Through this framework they explore transparency from a number of international and comparative perspectives Whistleblower Protection by the Council of Europe, the European Court of Human Rights and the European Union Hava Charlotte Lan Yurttagül, 2021-06-26 First introduced in the United States whistleblower laws have become increasingly popular around the world This book illustrates the regional efforts undertaken by European organizations to promote whistleblower protection in Europe To provide context the first part of the book presents an overview of the international best practices for whistleblowing legislation and explores the status of whistleblower under

international law It also assesses the global hot topics regarding whistleblowing from the cases of Edward Snowden and Julian Assange to the silencing of whistleblowers during the COVID 19 pandemic The following parts focus on the European approach to whistleblower laws It illustrates the influence of the Council of Europe in putting whistleblower protection on the European agenda and discusses the European Court of Human Rights case law on whistleblowing under Article 10 of the European Convention on Human Rights In the final part the author analyzes the evolution of the European Union s approach to whistleblowing and the legal significance of the EU Whistleblower Directive adopted in 2019 In the respective parts the author also examines the effectiveness of the international organizations own internal rules on whistleblowing from the United Nations and the World Bank Group to the Council of Europe and the European Union

The Law of Whistleblowing Valsamis Mitsilegas,Santiago Wortman Jofre,2021-12-13 The volume provides a leading contextual and cross disciplinary analysis of legal responses to whistleblowing Whistleblowing is a complex phenomenon that has been a challenge to numerous institutions at a national international and supranational level Efforts to address and protect whistleblowers have increased in recent years although the development of a comprehensive legal framework has not always been possible The whistleblowing phenomenon has been addressed directly through legislation and indirectly through numerous other measures and public policies Different jurisdictions have relied on different areas of law to enhance the protection of whistleblowers including measures from areas such as criminal labour corporate and administrative law Taken together contributions in this volume provide a comprehensive and original analysis of the emerging multi level legal framework to protect whistleblowers

Watchdogs and Whistleblowers Stephen Brobeck,Robert N. Mayer,2015-07-20 This book is the most comprehensive and up to date source of information about ways in which consumer activism has reshaped the economic and political well being of citizens in the United States and around the world This all encompassing collection of information about consumer activism and the consumer movement will provide students public officials business groups and other activists with a one stop source of facts and insights The contributors explore hundreds of major consumer protections that have significantly enhanced the quality of life and safety for all Americans showing how these protections were won through the skillful and determined work of leading activists and activist organizations Many of the stories told here are related by the activists themselves often for the first time More than 140 entries offer a comprehensive treatment of the consumer activism of specific organizations their leaders and strategies The book also includes more than 40 entries about consumer movements in Europe Asia Africa and Latin America A timeline of key events and a listing of the most important books on the subject of consumer activism help provide context for the individual entries as do two introductory essays Cross references in each entry establish linkages among topics

Corporate Whistleblowing Regulation Sulette Lombard,Vivienne Brand,Janet Austin,2020-01-09 This book adopts a cross jurisdictional perspective to consider contemporary corporate whistleblowing issues from an ethical theoretical perspective regulatory perspective and practical

perspective It includes in particular arguments in favour of and against the adoption of financial incentive schemes for whistleblowers as well as the potential implications of adopting such schemes This approach provides a valuable opportunity for comparison from a law reform perspective The book brings together authors from various jurisdictions Canada Australia and the USA who through their exposure to this area of law be it as practitioners regulators or academics offer valuable and interesting insights on the emerging and topical area of corporate whistleblowing generally and whistleblowing rewards in particular These three jurisdictions were selected on the basis of their reform oriented stance on corporate whistleblowing and or implementation of financial incentives for whistleblowing creating an opportunity to assess contemporary regulatory structures and in particular how incentives measures could interact with corporate whistleblowing regulatory frameworks and how they could contribute to improved governance The reasons for the rejection of the notion of financial incentives in the United Kingdom are also reviewed in order to provide a comparative overview The book provides useful guidance for those who may be affected by the implementation of corporate whistleblowing schemes including for reward whether as regulators practitioners company directors or whistle blowers

Effective Enforcement of EU Labour Law

Zane Rasnaca, Aristeia Koukiadaki, Niklas Bruun, Klaus Lörcher, 2022-08-11 This book by the ETUI Transnational Trade Union Rights Expert Network analyses enforcement as a key element making EU labour law effective or ineffective Enforcement is the key ingredient that makes rights effective and ensures compliance It can make or break a legal system Despite this enforcement of EU labour law has received little scholarly attention in recent decades and has rarely been examined in a comprehensive way This book aims to fill this gap Intended for academics and practitioners alike the book adopts a threefold approach to examine this issue First of all it explores the idea of effective enforcement and sets out the wider context in which EU labour law enforcement takes place Secondly it analyses how enforcement operates in particular areas including non discrimination health and safety information and consultation rights and the rights of migrating workers Thirdly it critically assesses the role of specific actors in particular collective actors like trade unions as well as whistle blowers and the European Labour Authority and settings public procurement economic and monetary policy regulated by EU law Drawing on the insights produced by these analyses the book concludes by proposing a comprehensive Draft for a Model Directive on Effective Enforcement of EU Labour Law as an inspiration for policy development and scholarly debate in this area

Whistleblowing - A Comparative Study Gregor Thüsing, Gerrit Forst, 2016-03-25 This volume takes a look at the status quo of whistleblowing in several jurisdictions from around the world Covering a topic that draws the attention of a broad public and is gaining importance amongst legislators practitioners and scholars all over the globe the book examines the various aspects of whistleblowing It looks at what kind of legal protection of whistleblowers is in force who is protected what kind of behaviour is protected and what kind of behaviour whistleblowers are protected against This is achieved by a combination of a general comparative report with country specific reports that give information on whistleblowing in various jurisdictions These

countries include amongst others Canada Germany France Italy the Netherlands and the USA A synopsis comprises information on whistleblowing in 23 countries in one tabula The chapters of this book were originally prepared for the XIXth International Congress of Comparative Law 20th and 21st sup July 2014 of International Academy of Comparative Law in Vienna *National Security, Public Health: Exceptions to Human Rights?* Myriam Feinberg, Laura Niada-Avshalom, Brigit Toebes, 2017-10-02 The book deals with the complicated relationships between national security and human rights and between public health and human rights Its premise is the fact that national security and public health are both included in human rights instruments as exceptions to the human rights therein sanctioned yet they can arguably be considered as human rights themselves and be equally valuable The book therefore asks to what extent the protection of the individual could or should be overridden to enable the protection of the national security or public health of the general public Both practice and case law have shown that human rights risk being set aside when they clash with the protection of national security or public health Through theoretical analysis and practical examples the book addresses the conflicts that arise when the concepts of national security and public health are used and abused and other rights including freedom of speech procedural freedoms individual health are violated as a consequence It provides many interesting findings on the values that states are ready to protect and forego to ensure their safety which can contribute to the ongoing debate on the protection of human rights This book was originally published as a special issue of The International Journal of Human Rights

International Corporate Criminal Law Eric Engle, his book presents twenty one essays by as many legal scholars examining international criminal enterprises The lead essay provides a synopsis of enterprise criminality Topics treated include conflict resources diamonds palm oil piracy arms trafficking illegal drugs counterfeit products art fraud market manipulation short selling cryptocurrency bitcoin tax evasion investor state arbitration anti trust competition law and corporate governance whistleblowing VW Toshiba concluding with a chapter on Lobbying in the EU Countries and regions covered include Central Africa Indonesia Somalia Iraq Syria UK EU France Germany and Japan The book includes a free preview <https://www.amazon.com/author/quizzmaster/http://mindworks.altervista.org> About the author A Fulbright law specialist Dr Engle has taught law in France Nanterre Germany Humboldt Ukraine Fulbright Bosnia Fulbright Russia Pericles and Estonia Tartu He has published dozens of articles on law as well as several books This book is meant to be affordable so developing country legal scholars can understand American French and German rule of law concepts in the struggle against violent criminality *Crisis of Conscience* Tom Mueller, 2019 We are living in a time of mind boggling corruption but we are also living in a golden age of whistleblowing Over the past two decades whistleblowers have emerged as both the government's best weapon against corporate misconduct and the citizenry's best defence against government Drawing on relentless original research including in depth interviews with more than 200 whistleblowers *Crisis of Conscience* is a modern day David and Goliath saga told through a series of riveting cases drawn from Big Pharma the military and beyond

International Handbook on Whistleblowing Research A J Brown, D Lewis, R Moberly, W Vandekerckhove, 2014-08-29
Featuring contributions from scholars and policy practitioners in a number of diverse fields _ including sociology political science psychology information systems media studies business management criminology public policy and several branches

Elgar Encyclopedia of Corruption and Society Luís de Sousa, Susana Corrado, 2024-05-02 Delving into the phenomenology of corruption and its impacts on the governance of societies this cutting edge Encyclopedia considers what makes corruption such a resilient complex and global priority for study This title contains one or more Open Access entries **Handbook of African Economic Development** Pádraig Carmody, James T. Murphy, 2024-05-02 The Handbook of African Economic Development explores the diverse nature of economic advancement in Africa spanning from pre colonial times to the present day Expansive in scope it offers both orthodox and heterodox perspectives on the subject and what it means for the continent

Linkages and Boundaries in Private and Public International Law Veronica Ruiz Abou-Nigm, Kasey McCall-Smith, Duncan French, 2018-07-26 Do private and public international law coincide in their underlying objectives when it comes to their respective contribution to the realisation of global values How do they work together towards the consistency and efficiency of the international legal order This edited collection sets out a vision to serve modern society the international legal order cannot be defined as public or private Linkages and Boundaries focuses on the interface between private and public international law and the synergies that a joint approach brings to topical issues such as corporate social responsibility and environmental law as well as foundational concepts such as international jurisdiction state sovereignty and party autonomy The book showcases the dynamic interaction between the two disciplines with a view to contribute to a dialogue that is still only in the early stages of delivering its full potential The collection explores ways to deepen the dialogue between these two distinct but interrelated disciplines with a view to further their progression towards a more integrated and holistic approach to legal problems that require an international approach The book brings together well known experts and new voices from both disciplines and from a wide range of jurisdictions in Europe North America and South America

Whistleblowing, Communication and Consequences Peer Jacob Svenkerud, Jan-Oddvar Sørnes, Larry Browning, 2021-03-25 Whistleblowing Communication and Consequences offers the first in depth analysis of the most publicized and morally complex case of whistleblowing in recent European history the Norwegian national lottery Norsk Tipping With contributions from the whistleblower himself as well as from key voices in the field this book offers unique perspectives and insights into not only this fascinating case but into whistleblowing and wrongdoing in organizations more broadly An international team of scholars use fourteen different theoretical lenses to show the complex and multi faceted nature of whistleblowing The book begins with an ethnographic account by the whistleblower story and proceeds into an analysis of the literature and conceptual topics related to that whistleblowing incident to present the lessons that can be learnt from this extreme example of institutional failure This fascinating complex and multi theoretical book will be of great interest to scholars students and

industry leaders in the areas of public relations corporate communication leadership corporate social responsibility whistleblowing and organizational resistance The Open Access version of this book available at <http://www.tandfebooks.com> has been made available under a Creative Commons Attribution Non Commercial No Derivatives 4.0 license Out of Darkness Ralph Nader, 2024-06-25 A collection of columns and essays that reveal Ralph Nader at his outspoken and prescient best fighting the good fight against corporate corruption unbalanced political power consumer dangers big pharma and climate deniers Features an introduction by Lewis Lapham This collection is classic Nader exhorting us to make our world and nation a better place even when faced with unchecked political and corporate power and perverse market and regulatory incentives He starts with the declaration that the national Democratic Party bureaucrats are either inept or bewildered With its record setting campaign fundraising he bemoans how the Party can't seem to figure out how to go on the offensive against the overtly lying cruel corrupt law breaking Wall Street over Main Street Trumpian Republican Party In another essay he praises Canada explaining that the majority of citizens love their health care system Medicare for all free choice of doctor and hospital everybody in nobody out and far less expensive with better outcomes overall Highlighting heroes like Pete Seeger Wendell Berry the journalist Helen Thomas Nader also celebrates citizens like the lesser known charismatic George S. Hawkins general manager of the District of Columbia Water and Sewer Authority who brought immense energy vision and ambitious overdue plans to the forefront for American's public drinking water Meanwhile he doesn't shy away from enemies for example Nader slams the evils of Big Pharma's strength and hold over Congress and infinite greed Nader also brings American history to the present day with creative twists We need to remember Ben Franklin our frugal forebear who coined the phrase a penny saved is a penny earned he writes Today he would say a trillion BTUs saved is a trillion BTUs earned Ranging from hernia repair to auto safety reports and warnings about lethal super bugs and global pandemics from 2013 Nader's essays and newspaper columns will inform and activate his legions of fans **Regulating Neuroscience:**

Transnational Legal Challenges, 2021-09-29 The Volume Regulating Neuroethics Transnational Legal challenges will focus on the new and fascinating ethical and legal challenges posed by neurotechnology and its global regulation The Volume will address topics ranging from the foundations of neuroethics free will and human liberty to their impact in criminal and civil liability the legal regulation of biotechnological developments and its challenges for health privacy and other fundamental human rights Novel and original research on the emerging field of the legal regulation of neuroscience Interdisciplinary approach chapters by global scholars from several disciplines including law philosophy and medicine Develops a global approach useful in jurisdictions along the globe The SAGE Encyclopedia of Business Ethics and Society Robert W. Kolb, 2018-03-27 Thoroughly revised updated and expanded The SAGE Encyclopedia of Business Ethics and Society Second Edition explores current topics such as mass social media cookies and cyber attacks as well as traditional issues including accounting discrimination environmental concerns and management The new edition also includes an in

depth examination of current and recent ethical affairs such as the dangerous work environments of off shore factories for Western retailers the negligence resulting in the 2010 BP oil spill the gender wage gap the minimum wage debate and increasing income disparity and the unparalleled level of debt in the U S and other countries with the challenges it presents to many societies and the considerable impact on the ethics of intergenerational wealth transfers Key Features Include Seven volumes available in both electronic and print formats contain more than 1 200 signed entries by significant figures in the field Cross references and suggestions for further readings to guide students to in depth resources Thematic Reader s Guide groups related entries by general topics Index allows for thorough browse and search capabilities in the electronic edition

The Right to Do Wrong Mark Osiel, 2019-02-25 Much of what we could do we shouldn t and we don t Mark Osiel shows that common morality expressed as shame outrage and stigma is society s first line of defense against transgressions Social norms can be indefensible but when they complement the law they can save us from an alternative that is far worse a repressive legal regime

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