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Case Analysis 5.4: Whistleblowing

The video that Manning released to Wikileaks shows an US Apache helicopter engaging and killing civilians in Iraq. The Apache crew was under the impression the group was armed and there had been reports of small arms fire in the area. But, it turned out that the group of people did not have an RPG and likely the firing and killing of all the civilians were unjustified. The responsibility and death of the civilians did not fall solely on the Apache crew but also with the chain of command, the policies and rules of engagement for that specific incident. Since Manning's motives and thoughts are not discussed in the video It is difficult to judge the actions on a moral basis but instead focus on the one specific leak that Manning exposed and the implications it may have had. The incident had already been investigated by the military just as any event was at the time and Manning releasing the video did nothing to change the outcome of the investigation. It did on the other hand put all of the military under a new lens, painting not just those involved but the military as a whole as an immoral corrupt organization that murders innocent people. Manning took an isolated incident and used it to destroy and dishonor every service member's sacrifice for what reason? Manning may have felt that the incident was immoral and violated the code of ethics of the

military but Manning is not the judge, jury and executioner for anything concerning what happened. In this case analysis I will argue that the Utilitarianism ethical view shows us that Manning did not act out of loyalty to the United States and Manning's actions were an immoral case of whistleblowing.

Vandekerckhove and Commers discuss Whistleblowing in the context of loyalty. Did Manning possess loyalty to the United States or was Manning just merely an employee who was acting out at the violation of ethics the Military clung to? Vandekerckhove and Commers define whistleblowing as "A deliberate non obligatory act of disclosure, which gets onto public record and is made by a person who has or had privileged access to data or information of an organization, about non-trivial illegality or other wrongdoing whether actual, suspected or anticipated which implicates and is under the control of that organization, to an external entity having potential to rectify the wrongdoing" (Vandekerckhove & Commers, 226). Wikileaks is not an external entity that does not have the potential to rectify the wrongdoing, they are an organization releasing information. If the goal was to rectify this incident internal channels and chain of commands needed to be followed within the military. The military contains internal investigative measures to address whistleblowers and events such as this, one avenue of approach outside of the normal chain of command would be the "Inspector General's Office". Since Manning's objective was not to rectify anything but to just expose and likely destroy credibility to the Armed forces Manning should also not be qualified as a whistleblower under this definition.

Vandekerckhove and Commers discuss the role of rational loyalty within organizations. If we consider the U.S Army as an organization with its own set of ethics such as the Army values "Loyalty, Duty, Respect, Selfless Service, Honor, Integrity, Personal Courage", then we can apply this case to Vandekerckhove and Commers definition and use of rational loyalty to try and understand Manning's actions. Vandekerckhove and Commers state "The adjective "rational" in rational loyalty indicates the need for the individual to make a deliberation whether or not her acts are a contribution to the explicit mission, values and goals of the organization she is loyal to. If she finds herself in a situation where organizational behavior diverts from its explicit mission, goals and values, then rational loyalty? loyalty to the explicit mission, goals and values? would demand of her to blow the whistle" (Vandekerckhove & Commers, 230). Manning may have felt that the actions of the Army that day were against the goals and values that they are supposed to represent, and the organizational behavior diverted from its mission and goal. But it wasn't the organization, it was a select group of individuals within the organization and not representative of the organization as a whole. It was the mistakes and misjudgement of individuals who caused the actions on the video not the organization. Yet Manning's leaks specifically were to the detriment of the organization and all those who served with loyalty to the Military and did nothing to rectify the situation. The concept of rational loyalty was not being applied here since Manning had no goals in rectifying the actions of the Military or government. Instead the outcome brought public awareness to specific bad incidents that tarnished the organizations reputations as well as all service members. Using a utilitarian approach to the events and outcomes of Manning's leaks would show that there were no positive

outcomes to any of it and judging the leaks on how much good they brought would mean that it was an immoral decision since no good or changes came from the leaks concerning the video.

In Oxley and Wittkowers writing they state “Our central argument is that loyalty is a form of care and concern for others, and as such, loyalty cannot be obligated-either by the corporation, or morally, all things considered” (Oxley & Wittkower, 223). Loyalty is discussed as something that can’t be forced upon someone but there is a certain aspect of loyalty required to perform one’s duties in an organization. Another key point to Oxley and Wittkowers discussion states “The most important of these conflicts occurs in cases of whistle-blowing, where an employee's obligation to be loyal to an employer may conflict with her obligation to follow the law, company policies, or other moral principles such as justice” (Oxley & Wittkower, 230). In Manning’s case, Manning was faced with the obligation to the Military, the contract Manning signed the duties and assumed loyalty that went along with it. Manning might have felt like the Military had violated company policies, the law and even denied justice for the actions that took place. In this case Manning might have felt that the Military was not following its own values or company policies and were being immoral. The principle of justice might have been something Manning also considered missing or improperly applied. Given the circumstances and violations of loyalty Manning might have felt like something needed to be done and justified the whistleblowing as moral due to the immoral actions of the video.

Another concept that Oxley and Wittkower discuss is about the role of care ethics and loyalty. Oxley and Wittkower state "The care ethics account of loyalty is also able to explain why loyalty is an ambiguous motivation for whistle-blowing. Loyalty can motivate an employee to blow the whistle when the corporation is engaging in uncaring activities regarding its employees, the environment, or its consumers-and, here, this critical loyalty is appropriate. But loyalty can also be a motivation to attack and silence whistleblowers, when that dissent has a strong and apparent moral basis" (Oxley & Wittkower, 236). Manning may have been loyal to the Military and then felt betrayed by the actions on the video and how nobody was ever punished. Manning might have felt the need to make this public so that others would share the same outrage as Manning. This entry also shows how the Military could have used the concept of loyalty to try and silence Manning and others who would have done the same. The military could use loyalty as a way to motivate people to not be whistleblowers by labeling them as unloyal or traitors if they don't align with the goals of the organization regardless of the aspects of justice being violated or missing. Manning's motives are very unclear and even the steps taken before it came to whistleblowing in the first place were not discussed in this video and are things that are very important to the context of the whistleblowing. Which makes this case very hard to discuss since Manning might be acting morally if we consider the role of care ethics in loyalty and whistleblowing but ultimately immoral if we consider the outcomes through a utilitarian perspective. Manning didn't rectify or cause any form of justice to occur other than the consequences Manning would face at the hand of the government and Military that Manning leaked information against.

Judging the moral implications of Manning's actions is not an easy task because there are many elements to consider. One would simply be Manning's motivations, what did Manning want to achieve by leaking the information to wikileaks? Why did Manning seek out this information in the first place? Though when considering the material on loyalty it's apparent that Manning showed no loyalty to the United States when releasing the documents to Wikileaks. It's not the goal of the Military or government to massacre civilians or at least in this case it wasn't. So why did Manning feel the need to present this isolated incident. Did Manning want the Apache Pilots punished, did Manning want the chain of command to resign, relieved, jailed, made an example of? To me there seems to be some malicious motivations behind Manning's leaks and Manning's loyalties are not clear. Did Manning feel like there was a violation of Justice and care ethics like Oxley and Wittkower discuss? Did Manning feel like the Military had violated its published values and goals and the whistleblowing was justified considering rational loyalty as Vandekerckhove and Commers explain? If there was no goal of fixing the problem from the start then it was just to damage an organization. Manning's action represents an immoral case of whistle blowing considering a Utilitarian view because it brought no good at all just reputational damage and more negative views of the government and military with no solutions or remedies intended.

References

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Oxley, Julinna. Wittkower, D.E. Care and Loyalty in the Workplace. Applying Care and Ethics to Business. Springer Science 2011.