

5.4. Case Analysis on Whistleblowing

A video posted by Wikileaks that was provided by a whistle-blower on US forces engaging a group of individuals whom they believed to be enemy combatants from their helicopter in Iraq in 2007. The day after the US engagement, it was reported that 12 individuals were killed which, included two news reporters. These events occurred because there was a report of gunfire in the area, but there was no way to locate the gunfire from the ground, so the US dispatched the helicopters. The video showed the helicopter identifying approximately six individuals and two with what looked like AK47s and one with an RPG. The weapon was not clearly identifiable, and the individual from Wikileaks stated that the items they were carrying could have been camera bags and a tripod. The US forces engaged the individuals from their aircraft. Afterward, a vehicle arrived to aid the wounded, and the US Helicopter engaged the vehicle and then doubled down by firing on the wounded individual from their first attack. Additionally, there were children in the vehicle that US forces were aware of. Finally, they engaged a building with what they believed to have combatants inside due to the fact they saw an individual with an AK47 enter the building. They engaged the building with missiles and fired while a bystander was walking by. The whistleblower felt that US forces engaged noncombatant civilian personnel who posed no threat and was not properly identified. In this Case Analysis, I will argue that Ethics of Care shows us that Manning did not act out of loyalty to the United States and that her actions were a moral case of whistleblowing.

In Oxley and Wittkower's article, they bring up the question of should an employee be loyal to their employer. Oxley and Wittkower state that loyalty as an expression of care can explain that loyalty is neither simply a duty nor a requirement of the pursuit of self-interest. Self-interest is a reason to be loyal to an employer, whether those reasons are good because the employer's goals line up with the employees or bad because the employees are loyal out of fear of reprisal for their actions. When it comes to ethics of care, there is an obligation to show partiality to those with, and we have relationships of interdependence. The employees will show partiality to their employers, which could be for several different reasons, such as the relationships they have built with their coworkers, the drive for personal success and growth, and in some cases, like some members of the military, patriotism, to defend your country and fight for its freedom is not just loyalty but an honor. Loyalty to an employer can occur based on the ethics of care, where caring relationships are a moral based on treating those close to you with special importance, but is it ethical to blow the whistle on your employer to which you are loyal like Manning did to the US military?

Manning was wrong for not being loyal to the United States. Still, her actions were justified because her morality would not let the harmful acts that were committed by the U.S. forces go on without trying to get justice for the people who were killed. This would have never been revealed if it wasn't for Manning blowing the whistle. Manning's loyalty to the US was overshadowed by their care ethic of morality and the focus on justice and impartiality after they reviewed the video of the killing of the 12 people and children without any signs of a threat to themselves or other US forces. Manning probably felt conflicted, as Oxley and Wittkower stated that in whistle-blowing cases, the employee's obligation to be loyal might conflict with their obligation to follow the law or other moral principles of justice. As part of the ethics of care principle, we should never allow others to suffer to benefit those closest to us. Manning blew the whistle because they had witnessed

what could have been considered War Crimes, a violation of the Geneva Convention and The Law of Armed Conflict (LOAC) or Law of War, which is international law established to regulate the conduct of armed hostilities. The Laws of Armed Conflict are rules set by civilized nations to prevent unnecessary suffering and destruction, which the US forces did not follow.

In this case, it is similar to Snowden's case, where he blew the whistle on the US government and leaked several classified files, Manning did the same thing because she thought it was the only way to identify the wrongdoing that was accomplished by the US military. At some points, I agree with her about what they did. Still, they also had an obligation to maintain classified information, and they should have when about this through other avenues that would not have caused the leak of classified information.

Additionally, the US forces were also acting within their ethic of care. The US Defense Analyst stated that it's easy to sit at home or in your office and examine every frame of the video, but during the fog of war, you have to make split-second decisions because lives depend on it. Their decision was based on the care and the lives of their fellow brothers-at-arms and the information about gunfire in that area.

In Vandekerckhove's article, whistleblowers should have rational loyalty to the organization, and the company should institutionalize whistleblowing. Rational loyalty means that if an organization has a mission statement and violates that mission statement, then it is the duty whistleblower to blow a whistle to prevent harm to and further the well-being of society. However, when it involves care ethics, there can't just be rational loyalty because, based on Vandekerckhove's article, you can only blow the whistle if it violates the missions statement, but what if an organization doesn't have a mission statement or like in the Manning's case, the US Army's mission statement was "To deploy, fight, and win our Nation's wars by providing ready, prompt, and sustained land dominance by Army forces across the full spectrum of conflict as part of the Joint Force." The aforementioned did not violate the US Army's mission statement therefore, Manning shouldn't have blown the whistle, but because of her ethics of justice, Manning chose to blow the whistle. She felt a necessary right that was more important than rational loyalty by blowing the whistle on the US military for their reckless and immoral acts that resulted in the killing of 12 civilians.

Also, Vandekerckhove's article stated that whistleblowing needed to be institutionalized, which means that it should be handled within the organization. In some situations, there are cases for whistleblowing to be handled within the organization. Still, in Manning's case, the only way that this would have gotten the notability was to go outside the US Military because of the classified nature of the mission. It is highly likely that if the mission wasn't classified, and Manning reported it within the organization, they would have reclassified it the mission to prevent access to it by outsiders.

In conclusion, a whistleblower blew the whistle on the United States military for killing 12 civilians which included two news reporters, during the operation in Iraq. Although the operation was classified and manning knew that she wasn't authorized to release the information, because of her care ethic, she decided to blow the whistle to get justice for those individuals that were killed. She did not maintain her loyalty to the US, but how could she remain impartial while witnessing

immoral acts? Oxley and Wittkower's question is, should an employee be loyal to their employer, and the answer to their question depends on the character and values of the employee and what the employees get for being loyal to an organization. In Manning's case, she valued the lives of that innocent personnel, and she was not loyal to the organization that would allow unnecessary loss of lives. Vandekerckhove stated that whistleblowers should have rational loyalty, and whistleblowing should be handled within the organization. Rational loyalty doesn't always work in some cases when an organization doesn't violate its mission statement like in Manning's case, the Army did not violate its mission statement, and if she had kept her complaint within the organization, it probably would have never got out. Manning's care ethics and ethics for justice were more important to her than loyalty to the US. She could not be impartial to the immoral acts she witnessed and chose to seek justice over loyalty.