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03/31/24

PHIL 355E: Cybersecurity Ethics

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Whistleblowing Case Analysis

INTRODUCTION

The video titled “Collateral Murder?” examined in detail the leaked footage of two Apache gunships firing on people in Baghdad. In this video, there are several forms of mockery of the civilians such as boasting about the amount killed and making light of injured children who were later discovered to be in a van that they destroyed. Furthermore, shots were fired at a person who was bleeding and crawling on the ground, and in the second engagement of reported small arms fire near a building, a civilian who was walking near the building was caught in the explosion and there was no acknowledgment (Al Jazeera English, 2010, April 19). These actions caused controversy over the lack of care given to civilians both in actions and comments and sparked a debate about the military’s approach to the war. The footage from the video was anonymously posted on WikiLeaks by Chelsea Manning and this whistleblowing called into question her loyalty to the country and whether the action itself was moral or not. In this Case Analysis I will argue that Ethics of Care shows us that Manning did act out of loyalty to the United States, and that her actions were a moral case of whistleblowing.

VANDEKERCKHOVE AND COMMERS

Vandekerckhove and Commers’s paper analyzes the concept of loyalty and claims that there is no contradiction between it and whistleblowing. The primary form of support is in its

definition of a theory of loyalty and whistleblowing. According to Vandekerckhove and Commers, their criteria for a theory of loyalty involves feeling something toward an object, an additional external referent, a learned attitude, and a bilateral relationship. This theory is then applied to rational loyalty, which emphasizes an employee's loyalty towards an organization's values and mission statement, which are known to the public. Additionally, whistleblowing is defined 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, 2004, pp. 226, 229-230).

With these criteria concerning the video, Manning blew the whistle and disclosed the video because she felt that loyalty was not being upheld by the military. Regarding each criterion, the object for Manning was the military's code of conduct, the external referent was the public who didn't know about the footage, the learned attitude was from Manning's time in the military, but there was no bilateral loyalty between Manning and the military after the actions in the video were taken and kept hidden. Manning's whistleblowing was due to that footage going against the code of conduct and harm being done to innocent people.

Applying ethics of care also supports Manning's reasoning for disclosing the footage by focusing on the relationships tied to her decision. Ethics of care emphasizes the relationships in someone's life and how those connections are involved in moral and ethical decision-making. In this case, when Manning discovered the footage and saw those actions, she may have felt compelled to disclose it, not only due to empathy for the civilians in the footage but also to inform the public of the United States about the harm being done. Furthermore, another reason to

disclose the footage could be to uphold the ethical standards she had with the military, after seeing the video and wanting to improve that.

In this case, ethics of care and Vandekerckhove and Commers's definitions are supportive of Manning's choice for whistleblowing. While Manning exemplified rational loyalty by being a part of the military for their known values, the video of soldiers directly opposing that made Manning feel compelled to leak the footage. Furthermore, seeing the disregard for civilian lives from the soldiers could also have been a factor, due to the relationship between Manning, and by extension, the military with the public. Manning could have felt a sense of duty in disclosing the information to protect and inform. Through these forms of assessment and analysis, Manning's actions were moral because they were examples of expressing care for civilians and rational loyalty, which is about loyalty being tied to the organization's values. Therefore, she acted out of loyalty to the United States due to the mission statement of the military, and whistleblowing the information having the same goal of caring for the public.

OXLEY AND WITTKOWER

Oxley and Wittkower's perspective deconstructs the different definitions of loyalty to be the basis of a caring relationship. The definition of a care-based form of loyalty is "an expression of care and concern for others, and that any duties of loyalty are grounded in the caring relationship." Those duties also involve concern for the relationship and a want for it to flourish out of a personal desire, and not obligation despite the difficulty that comes with it.

Furthermore, for this form of loyalty to a corporation or large organization, "it must not be merely a dependent and fiduciary relation—i.e. that the employee is of necessity in the position of caring for the corporation—but must extend this caring-for into caring-about, in which care is shown for the interests of the corporation for its own sake rather than out of

contractual obligation” (Oxley & Wittkower, 2011, pp. 221, 223, 231-232). Even though Manning’s decision to blow the whistle with the video was difficult, it was one that she felt that she had to make out of a personal desire for the well-being of the public. While it is opposed to the obligation she had being enlisted in the military and only following commands, the loyalty she had was personal and when seeing the footage, chose to take action differing from it to make a change.

Another argument that’s made is about how care-based loyalty can be a motivator for whistleblowing. For example, if an employee recognizes something immoral is happening within an organization and then discloses that information to help improve the relationship between the employee and the organization (Oxley & Wittkower, 2011, p. 236). As stated before, Manning’s choice to disclose the footage may not have been obligatory to the military itself, but it was out of loyalty to the policies of the military, and to the people out of concern.

Assessing the case with ethics of care and Oxley and Wittkower’s definition of loyalty with a care basis, Manning’s choice to blow the whistle still shows support for the United States by being loyal to the welfare of civilians and valuing the relationship with the principles of the military. While she did care about the principles of the military and oblige to the commands that were given, she didn’t blindly adhere to its structure because relationships aren’t built on blind following, but care. According to Oxley and Wittkower, “Loyalty naturally develops as a result of care and concern” (2011, p. 224). Manning’s concern was toward the people being misinformed about what was happening in Baghdad, and she wanted to hold the soldiers involved accountable for their actions in killing civilians. Furthermore, her choice to blow the whistle could be considered a form of caring for the military due to her wanting its state at the time to flourish. If there was nothing done, then the military wouldn’t have had to account for

anything, the United States public would remain misinformed about the events of Baghdad, and the civilians of Baghdad would have continued to be inadvertently harmed.

CONCLUSION

To conclude, Manning's choice to disclose the footage in the video was out of loyalty to the United States and was a moral case of whistleblowing. Using the concepts from Vandekerckhove and Commers, Oxley and Wittkower, and the ethics of care show how Manning's whistleblowing was reasonable. Vandekerckhove and Commers's theory of loyalty displays how the soldiers go against the principle of the military and that same footage being hidden shows a lack of accountability despite the rational loyalty that Manning had to the military. Oxley and Wittkower's perspective on care is the basis for loyalty adds other factors such as the well-being of the civilians of the United States and Baghdad, and the desire to improve the military's response to warfare. These factors led Manning to blow the whistle on the footage to maintain the welfare of the United States public, show concern for the civilians of Baghdad, and hold the military accountable for the actions in the footage as a way to improve them and uphold their mission statement. Although, an argument can be made that Manning's choice to blow the whistle was not loyal to the United States. An argument can be made that by whistleblowing that information, she went against the oath that she swore to protect the country. Now, while she did go against the oath by going against her command, in the video itself, those same soldiers were also going against their commands yet suffered no consequences. Manning's choice to blow the whistle was due to the footage being a violation of the military's oath and having loyalty to protect the public and to the military's ethical standards, which were disregarded in that footage.

References

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