

In the video titled *Collateral Murder?* A reporter and the editor of Wikileaks discuss a video leaked by a whistle-blower in the US military. The video that was leaked was footage from an Apache Helicopter, giving air support to the ground troops. In the process of the Apache's engagement with the enemy forces, children were caught in the line of fire. It was hard to see the children until the reporter and editor went back and pointed it out. The soldiers did try to recuse the children because they weren't intended to be killed and the Apache was unable to see them. The footage used in the video was obtained by WikiLeaks from a US army Whistleblower (Manning) who was later charged with violating the espionage act for leaking Military strategies to the public. Manning couldn't believe the actions the military was taking against the people of Iraq and decided to blow the whistle and leak the videos in hopes of changing how the military went about their tactics in war. In this Case Analysis I will argue that Contractarianism shows us that Manning did not act out of loyalty to the United States and that her actions were an immoral case of whistleblowing.

In the journal article *Whistleblowing and rational loyalty*, Vandekerckhove and Commers talk about what loyalty is and gives some definitions of what it is. One of the mentioned meanings of loyalty in this journal is "faithful or steadfast in allegiance to the sovereign or constituted government". This can be interpreted as one kind of loyalty being faithfulness or trust in their government. Vandekerckhove and Commers also state the encyclopedic dictionary definition of loyalty from a business ethics standpoint. This definition defines loyalty as a willingness to sacrifice. Which can be interpreted loosely and doesn't give the full scope of loyalty. Vandekerckhove and Commers then talk about rational loyalty. Rational loyalty is more about staying loyal to a company or organization's mission, goal, and code of conduct. This form of loyal is easier to see or spot in a business setting and loyalty is more of following the rules and not leaking important information to outside parties.

With rational loyalty, if a person or employee finds the organization having them perform activities that are not in line with the organization's mission statement, values, or goals, it is then ethical to whistleblowing that the organization is going back on their promised word to the public and its employees.

This case is tricky, tricky in the sense that you have to look at the US military/ Government like a business. The US Military has loyalty to their employers, but their employers are our nation and our government. It is often thought as joining the military shows your loyalty to the country and your willingness to sacrifice to protect it. Looking at this with rational loyalty, Soldiers show their loyalty by following their branch's mission and doing what they must to reach the goals of the mission, branch, or government, but they do so by staying in line with "world laws" (laws set in place by the United Nations). Manning was an intelligence analyst with the US Army, meaning she falls into this category of loyalty. She had a loyalty to protect this country and follow the US Army's mission and goals, and not following this puts her in a category of "not loyal to her country", which she did. Manning blew the whistle to the public that the US army was killing an innocent woman and children and leaked footage of them doing so. In one of the clips Manning leaked, it shows an Apache helicopter engaging in

fire against enemy forces and taking out one of their vans. What was hard to see unless looking closely is that there were children in that van, and they were caught in the fire between the Apache and the enemy forces. It is even shown in the clip that the US forces tried to save the children as they were not the intended target, nor did they have clear knowledge that there were children in the van. What Manning failed to recognize when blowing the whistle is that she was in a war battleground, while yes, the US military's ROE (Rules of Engagement) were not perfect in this war, people will die and that is just a part of the war. She was not loyal to the US Army or the US government by not considering that they were fighting a war and that is a part of the US Army's mission. Manning was not in the right for blowing the whistle in this case. Following the Vandekerckhove and Commers concept of rational loyalty, the Army did not break its mission statement of "to deploy, fight, and win our nation's wars by ... dominance", therefore Manning was in the wrong for blowing the whistle. As stated previously, when an organization has its people/employees break their mission statement, values, or goals, it may call for whistleblowing. One of the Army's core values is loyalty to the Army, A value which Manning betrayed by whistleblowing when the situation didn't call for it.

Contractarianism is the moral theory that there is an unspoken social contract between members of society. The unspoken social contract, in this case, would be that people die in war, enemies, and civilians included. The rise of technology and communication has made this information more known to society. To help explain this fact, take World War II and the Vietnam War for example. During World War II lots of people died, Allie forces, axis powers, and even civilians and innocents of the eastern countries had casualties. It's collateral of war and it's difficult to avoid at times. Now looking at the war in Vietnam, that war was the first televised war, and a lot of protesting came from it once the American people saw true warfare. While, yes, the warfare used in Vietnam was inhuman and later outlawed by the United Nations as a war crime, it was still, until the people saw warfare, that they acknowledged that people get injured and killed in the war. With this in mind, creating a fair society may put burdens on those who didn't create the society and are not responsible for the problems. In this case, the burden is the innocent children and women being killed because of the problems the leaders of Iraq created. This is a reflection of the unfairness of the state their society was in, that state being war.

In Oxley and Wittkower's Care and Loyalty in the Workplace, they talk about the correlation between care and concern, and loyalty. One concept talked about by Oxley and Wittkower is that loyalty is supported in different ways of expression, but the genuine expression is grounded by care and concern. In a business setting, the interaction between loyalty and care is seen in the interpersonal relationships between coworkers. If coworkers connect on a personal level, they will be loyal to each other because they care about one another. Oxley and Wittkower also talk about how loyalty is a kind of concern, where the concern is expressed as prioritizing the interest of the object to whom the person is loyal. This means loyalty as a concern is taking the interest of another entity and putting it ahead of yourself. Oxley and Wittkower also state that successful job performance can depend on maintaining good working relationships with others on the job and success and happiness can be improved if coworkers help each other out.

In this case with Manning, she did act with loyalty as care and concern, but that loyalty was directed toward the lives of innocents and not her country. While this isn't wrong when taking it out of the context of war, however in the context of the war she abandoned her loyalty to her country and its mission to fight to protect and preserve their freedom. Using Oxley and Wittkower's talk about the concept of loyalty is expressed in a different way, but it is genuinely expressed in care and concern, Manning's expression and actions showed that her loyalty was to the lives of people she had met or made a connection with, and she deemed innocent. While many people believe kids should not fight in wars, as wars can cut a person's life short, there are a lot of children or minors (by US standards) that were aiding and fighting in the Iraq and Afghan wars. Even with the US soldiers trying to help the kids they wounded during the firefight, for all they know the kids could've been armed or tried to cause harm to the soldiers. Going back to Manning, never having made a connection with women and children injured or killed in the war, She, by concept, can't be loyal as concerned for them. Although talked about in a business setting, Oxley and Wittkower's talked about the concept of loyalty as concern shows that coworkers, or in this case people, who connect on a personal level and have a personal relationship with will express loyalty to them as they have concern for them and care about them. Following this concept, Manning couldn't have loyalty as concerned to these innocent people in Iraq, and her action painted her in a light to US government as a supporter of the Iraq people and not as loyal to the US government.

Contractarianism, or social contract, here is between military members and their branch of the military, and that branch and the US government. The US Military personnel have an unspoken contract or social contract to respect and be loyal to the United States. Manning falls into this social contract as she is a member of the US Army, and she is expected to serve for the Army as an extension of the US government. So Manning is expected to Serve both the US Army and the US government and entered that agreement when she enlisted with them. Manning broke this when leaking the videos of the innocents getting killed unintentionally by the US military. Manning was imprisoned by the US government for this Violation and was seen as a spy for the Iraqis. Although there is a law explicitly saying to not release any information relating to the nation's defense with the intent to harm the US government or help foreign adversaries, she broke her loyalty to protect the US government and the US citizens as a person of the US Army. A Fair society sometimes means having to make hard choices. Manning's "hard choice" in this case was remaining loyal to the US Army and the US government and the social contract she had with them or to take the Army's wartime decisions public and portray them in a bad light which is seen as an act of betrayal. Manning decided to break that social contract and betray the Army and the Government with the result of losing her freedom.

All in all, I think Manning acted immorally by leaking videos of accidental deaths of innocent people in Iraq to WikiLeaks and showed her loyalty wasn't to the US Army to protect US citizens from foreign adversaries. I had a hard time coming to this position because I could see both sides of it. While yes, I think she was right for trying to stand up for the innocent people getting caught in the battle, she could've helped differently instead of whistleblowing.

For example, she could have tried to complain to the right people about how the US Army was doing their ROE and tried to get them to strive for Improvement. The US Military did in the end recognize their imperfection with the ROE and later strived to improve it. The only thing I was confused about is what Manning was hoping to accomplish by releasing the footage. I am sure Government officials were aware of what was happening and the only thing I could see coming of her actions is protests like the ones during the Vietnam War. All this goes back to the fact people die in war, and it's a burden those people have to bear because it was their leader's fault.

I Used some outside sources to help me get a better understanding of Who Manning was and her actions. I've cited them below in APA.

Asp, D., & Fisher, D. (2022, August). *Espionage Act of 1917*. Espionage Act of 1917. Retrieved March 29, 2023, from <https://www.mtsu.edu/first-amendment/article/1045/espionage-act-of-1917#:~:text=The%20Espionage%20Act%20of%201917%20prohibited%20obtaining%20information%2C%20recording%20pictures,advantage%20of%20any%20foreign%20nation.>

Staff, T. W. (2019, May 17). *Who is Chelsea Manning - and what did she do?* The Week UK. Retrieved March 29, 2023, from <https://www.theweek.co.uk/84659/chelsea-manning-what-next-for-wikileaks-whistleblower-after-prison-release>