

CASE ANALYSIS ON WHISTLEBLOWING

In the video titled “Collateral Murder” the US military responded to reports of small arms fire in a suburb of New Bagdad on July, 12, 2007. Apache helicopters were sent to the area when the military could not positively identify the gunman. WikiLeaks’s Julian Assange released the videos with audio conversation of the US soldiers involved as well as video of the interaction. The language and manor in which the soldiers interacted through the entire operation showed the desensitization of those participating in the warfare. The speech used in conversations as well as the actions taken with the unarmed or injured people also support my arguments. Once the video was leaked, something that would have been kept out of the view of the public, it shed light on the controversial way the soldiers on this mission and the US military conducted itself in New Bagdad that day. In this Case Analysis I will argue that Contractarianism shows us that Manning did act out of loyalty to the United States, and that her actions were a moral case of whistleblowing.

In the paper “Whistle Blowing and Rational Loyalty” (Vandekerckhove and Commers) we are introduced to the concept of “Rational Loyalty”. Rational loyalty to an organization, or in this case the United States military, we do not view loyalty in a sense of physicality. Loyalty in this aspect is the loyalty to the chain of command, her fellow soldiers in arms or to the United States government and Department of Defense. Her loyalty lies within the overall principles in which the United States entered the war in Iraq and in the Humanitarian aspects of warfare. “The people you liberate will witness the honorable and decent spirit of the American Military.” (C-SPAN (President George Bush)) This was a statement by the president to the American people when announcing that the U.S. This set an expectation to our citizens that the military would not act towards Iraqi citizens in inhumane ways. In the videos leaked by Manning we did not see this statement in practice. The soldiers themselves seemed to have great joy in their “Kill count”. Direct quotes made by the soldiers in the helicopter did not reflect this either. In the situation where one of the injured Journalist from the attack was unarmed and crawling to get away you could here on of the soldiers thirsty for the opportunity to open fire on the unarmed civilian man. “Come on buddy, all you got to do is pick up a weapon” were the exact words said. The man was no threat, and even though unknown to the American soldiers he was a civilian, still seemed to want to jump at the opportunity to slay the journalist.

We can see in the video that after the initial attack is commenced, that a van with 2 Iraqi men and 2 others, later identified as children, comes to evacuate the wounded and dead. The men in the helicopter circling the van can be heard speaking again in ways that give no regard to the life of these unarmed men. At one point, a soldier is heard saying "Come on let us shoot" eagerly wanting to fire on the van. Once given the command to open fire, not only is the van and the unarmed men targeted, but the injured journalist was directly targeted and then killed. The ground troops who encountered the children in the van wanted to take the injured children directly to a hospital, but the order was given to simply give them over to Iraqi police instead. Were these actions humane? I don't believe so. Rational Loyalty shows us that when Manning blew the whistle on this operation she was doing so because the military acted in ways that "diverts from its explicit mission statement." Or in this case the announcement made to the public by former President Bush. The American people were under the assumption that our soldiers would act ethically and humanely towards the citizens of Iraq they were there to protect.

Manning's loyalty was to the "explicit missions, goals and values" of this war and of the people of America. Under a veil of ignorance, not knowing whether you were a soldier, and Iraqi citizen or an American citizen, I can understand how blowing the whistle on this matter was appropriate and how she was still loyal to the military. Although she released the videos and went over the head of her superiors to do so, it gave the opportunity to Americans to see the poor conduct of the soldiers. This also allowed the opportunity to remind current active-duty military how to conduct themselves in warfare and the Iraqi citizens affected recognition and perhaps some sort of closure that this conduct is not condoned by people around the world as well as acknowledging the soldier's inhumane actions. Manning was in a unique position to expose hypocrisy and felt as though it was her moral duty to expose this for the good of all.

Next, I will use Jelinna Oxley's and D.E. Wittkower's "Care and Loyalty in the Workplace" regarding care ethics. In this paper we view "Loyalty as an object of care". The paper explains that loyalty can not be contractual. That is, you cannot expect an employee to show loyalty to their employer simply because it's the social norm or beneficial to the employer. A good employer would want to use care in its practices between its employees, the environment and society. One modern way we can see this take place is the recent movement in many companies adopting a paid parental leave for their employees. It's benefit to the employee and very helpful, this kind of care expressed by a company can

help in creating loyalty with its employee. On the opposite end, a company cannot expect loyalty from an employee if its practices show a lack of care.

Applying this to what we see in the video "Collateral murder?" how do care ethics and employee loyalty fit in to the case of whistleblowing? "Loyalty can motivate an employee to blow the whistle when the corporation is engaging in uncaring activities." (Oxley and Wittkower) This is shown by the actions taken by the soldiers and the way in which there was a complete disregard for civilian life in certain circumstances. For instance, when the men in the Apache helicopter were firing a rocket at a building suspected to house armed opposition, there was little regard for the civilians surrounding the area. A pedestrian can be seen walking down the street, not even worthy of mention over communications before the rocket was fired. If the pedestrian was not killed in the impact, he was severely wounded. Another situation was how in the first wave of fire on the armed group seen in the beginning of the video, a woman in one of the nearby houses was killed by the Apache and several other civilians were wounded inside that house. Both scenarios showed a lack of care for civilians and life. What is the difference between these situations and a police officer returning fire against an armed assailant in a crowded area? "Loyalty often involves pursuit of the best interest of an object of care." (Oxley and Wittkower) In this case, the object of care could be seen as the civilians and the people that the soldiers were there to liberate, yet instead we harmed or killed.

Manning was morally right and showed loyalty through the aspect of viewing loyalty as an object of care. The videos brought to light how the military fell short here in its effort to properly show care for the citizens and civilians in New Baghdad. In this respect the right thing was done because exposing this to the public eye could help make the military act in a more precautionary way and better the conduct of the soldiers in the battlefield. Through a veil of ignorance talked about in contractarian view, Manning acted in a way that was beneficial regardless of her position. By creating this awareness, it gives the opportunity to the military to analyze and improve on the actions taken in this kind of combat. This ultimately benefits everyone because it could save multiple civilian lives and creates an opportunity for growth in the operations of the military in future scenarios.

Loyalty should not be demanded but instead earned through the actions a company, organization or an employer takes. These institutions play a pivotal role in society and therefore should act in ways that benefit those they serve. What was seen in the video does not accurately reflect anything that could be considered honorable and decent, which is how the U.S. military was portraying itself to the rest of the world. I do not think that the men heard in these videos are un honorable or not

decent people. I think they acted the best they could give the scenario they had and obeying orders from their superiors. In the fog of war, in situations where adrenaline and the fight or flight response takes over, it can be difficult to act in ways viewed through a lens of "care". At one point in the video after the children are discovered on soldier, presumably the Apache gun operator says, "don't bring your kids into a warzone." I sympathize with this, and I don't even believe the soldier spoke out of callousness here, I think after realizing he wounded children, with adrenaline coursing through his veins, he was trying to rationalize the traumatic event. I do believe Manning acted out of loyalty and was morally correct for releasing the video of the hypocrisy to the public, but I do not believe the men acted out of complete maliciousness. It just shows in full light the tragedies that war can bring. Many men and women in militaries all around the world suffer from long lasting mental illness such as PTSD regarding actions taken that ensured their own survival. The revelation of these videos gives the world the opportunity, and the American military the opportunity to grow and attempt to act in a more humanitarian way.