

## Whistleblowing

Matt McClintock

November 11, 2021

PHIL 355E

Prof Nicol

The act of whistleblowing and the ethics of it are largely based on perspective. There are two sides to every case. You have the whistleblower him/herself who expose the secret information. Then you of course have those people or organizations who have the secrets that they don't want to be let out. The matter of right or wrong is situational and can change from case to case. In this case we see Manning who releases a confidential video portraying US military attack in a Baghdad suburb. This attack left 12 dead including 2 news reporters. The controversy lies in whether or not the military was justified in these attacks. I strongly believe that these attacks were reckless and the men that engaged in the event were unmistakably in the wrong. I believe the major turning point was when the men were ordered to attack the van that was there to pick up the wounded. This van was found to have wounded children who were then denied access to the US military hospital. These facts lead me to deem that Manning was moral in her case of whistleblowing. As for whether or not she was acting out of loyalty, we can look at it in two ways. Based on the military's definition of loyalty, she was out of line and broke the codes of conduct. If we take a step back and look through a Confucians lens, we can say that she was loyal to the US. Confucian ideals see that we all have roles in society. We are supposed to obey those above us and care for those below us. As a member of the military,

Manning is lead by them and is meant to be under them. However, it is important to note that just because Manning's role is that of a subordinate, that does not mean that she isn't allowed to challenge or question her leadership. In Confucianism, part of her role is to help her leader act appropriately in their role also.

### *Duska*

Duska challenges an idea which he says most business enthusiasts stand for. That idea is that employees have some obligation to their employer/company which is usually characterized as an obligation to loyalty. Whistleblowing violates that obligation there for violates the loyalty. Even in cases where blowing the whistle is the moral thing, there is still that violation of the obligation to loyalty. Duskas problem with this idea is that he thinks that companies are not "proper objects to loyalty". So, if that is true, there is no conflict between the duty of loyalty and the duty to blow the whistle. Its worth noting that Duska sees that whistleblowing is an "obligation one has to the public to prevent harm". If we relate that idea from the "business enthusiasts", there is a clear notion that Manning did no act out of loyalty to the United States when she released the footage. She violated that allegiance that moment she blew the whistle. I think this thinking favors the companies and almost seems like a form of gaslighting in a sense that they make the target question their judgments. Duskas claims challenge this thinking. Using his ideas, we would see that Manning did not violate any obligations to loyalty as there was no one to be loyal to. I have a problem with this way of thinking because it seems to literal. To say that companies are not "proper objects to loyalty" appears to go against the majority of societies thinking. Generalizing a whole company into one object doesn't make sense. Companies have a hierarchy, employees have bosses, those bosses have bosses. Wherever you

are on that ladder, there is some sort of expectation of loyalty you will have from a tangible person.

While on the topic of this imaginary ladder, we can relate this to Confucianism. As stated earlier, Confucianism sees that we all have roles in society and should always look to improve upon oneself. It also stresses the importance of things like loyalty and an obedience to hierarchy. In Manning's case, she would then be expected to be loyal to the US military and her leaders. This can be a double-edged sword. Blind loyalty can be a dangerous thing in the event that the leader is corrupt. There have been many cases in history of people being led by leaders who seek to cause harm (i.e. Hitler, Stalin). Luckily, Confucius believed that staying within your role does not mean you should always do as you are told. Part of your role is to better yourself and those connected to you. Even if this means not following a command or in our case, whistleblowing. Manning was in a situation where she was able to act in her role and bring light to something the public may have never seen. If we think as Confucians, then we can make an argument that Manning did act of loyalty to the US and was moral in her case of whistleblowing. The loyalty comes from looking to better her superior (which is the US Military) and bring some accountability to them.

*Oxley*

Oxley brings up an interesting point in the aspects of loyalty. "To think that loyalty is derivative of duties and justice or contractual obligations, and to treat loyalty as a duty or obligation, mistakes the effect for the cause.". She uses an example of an employee's loyalty and their duties and responsibilities. When we talk about employee loyalty, there is not a

discussion of what it is meant to be a loyal employee. Of course, they have certain obligations to their company however it makes no sense in saying that an employee is obligated to be loyal to them. This is interesting on the case of Manning for the fact that she was a part of the US Military. She would have different obligations than that of a civilian employee. Certainly, these obligations would include things like allegiance and an oath. So, in this instance there is somewhat a discussion of what it means to be a loyal employee for Manning. This would mean that breaking her contractual agreements would also break her loyalty. Her act of whistleblowing in this occurrence breaks both at the same time. Confucianism would protect her (not legally of course) from this. Confucianism is a very humanistic philosophy. It follows the idea that we as people should act in ethical ways because it is the right thing to do and uplifts society as a whole. It also believes that human beings are essentially good in nature and involve themselves in immoral behaviors through a lack of a strong moral standard. Manning's act of whistleblowing can be seen as this ethical way because it brought attention and at least some form of accountability for the actions done by our US military. Although those men were not prosecuted, it caused a public outrage which might in turn cause people to think more on their actions.

As I wrote this, I began to question what loyalty actually means to me because it seems like it is a tricky subject. I believe loyalty is being strongly committed to someone or something and having the ability to respect yourself and them enough to question them from time to time. Loyalty shouldn't be blind, and people should have reasons to be loyal whether that be monetary or even just a mutual agreement. Manning was a loyal employee that at a point questioned her superior which led her to whistle blow. This I think is a great example of loyalty

because she challenged her superior when she didn't agree with their actions. At that point, what would be her reasons to remain loyal? Confucianism aligns well with my ideas of loyalty because they both seek to improve upon what can be better. To finalize my thoughts, Manning acted out of loyalty to the US and her actions were a moral case of whistleblowing.