

During the U.S. invasion of Iraq, the U.S. military committed a number of heinous acts. These acts were recorded but would likely never be released to the public, with seemingly little to no punishment or consequences resulting from those acts. These records depicted a manner of things that many would call murder or even war crimes. Sometime after the acts occurred, Chelsea Manning, a member of the U.S. military, “blew the whistle” on a number of crimes. To do this, she worked with Julian Assange and WikiLeaks to allow the world to see what had happened in the U.S. invasion of Iraq. Because of this, the world was able to see the video and witness the acts for themselves. Chelsea Manning was subsequently punished heavily for the act. In this case analysis, I will argue that utilitarianism shows us that Manning did not act out of loyalty to the United States, but her actions were a moral case of whistleblowing.

Vandekerckhove and Commers’ work, *Whistleblowing and Rational Loyalty*, is a text that could begin to help us understand whistleblowing. Whistleblowing itself is often rejected as valid because it is thought to betray the obligation one has to their employer over some other duty, such as duty to the public. These thoughts are often conveyed when the whistleblower is disloyal to the company and blows the whistle on potentially unethical acts. The authors here explore that possibility and dive into the very concept of loyalty as it relates to whistleblowing. Duska, for instance, claims that employees cannot show loyalty to a company, as companies are not a proper object of loyalty. The authors note that Duska’s beliefs stand in contrast to those of most “business ethicists”. Corvino goes on to refute Duska in his work. He characterizes Duska’s main points on the matter as being that loyalty to a business would grant the business the status of personhood and that loyalty would also demand the expectation of self-sacrifice without the expectation of a reward. Corvino refutes these points, stating Duska did not prove them. To Corvino, businesses are groups of people and could be the object of loyalty, and he also points out that there are cases that even Duska views as valid where loyalty occurs where a reward is expected. While both disagree, both consider whistleblowing a valid ethical exercise. Duska believes so because he views the community itself as the only valid object of loyalty in the scenario. Corvino believes so because he views loyalty as only valid if the object of the loyalty is good. Hartman, Solomon, and Jeurissen’s works also add to the discussion by expounding on the necessity and validity of loyalty. Solomon, for instance, expounds on loyalty by characterizing it as a mutual exercise that benefits each party. Jeurissen emphasizes that it is a learned behavior, and that a company cannot expect loyalty unless it can also provide it back to those whom it asks for it. The authors then take these works and summarize loyalty as containing four criteria: that it is an attitude aimed at an object, that it refers to a specific external thing, that it is learned, and that it is bilateral. They use these criteria to recommend a new type of loyalty: rational loyalty. Rational loyalty could be summarized as loyalty towards the ideals and goals of an organization, not necessarily any one particular person or aspect of the organization itself. The idea then would be that whistleblowers would blow the whistle out of loyalty to the ideas of the company when it behaves in a way that departs from those ideals, mission statements, codes of conduct, and value statements. If whistleblowing is then protected and instituted as an institutional aspect within the company, then it could correct misdeeds and wrongdoing. When taken as a whole, though, and framed within a utilitarian lens, the recommendations of the article seem to fall flat. While the authors do delve into the complex nature of mixed loyalties and the nature of loyalty to the wider community versus the company, they seem to fall short of tackling many of the deeper considerations

surrounding that discussion. They “tip their hat” to Corvino’s ideals on the matter but ultimately dismiss his contribution, as they feel his argument is more concerned with the individual struggle and less with the organization, which they feel their argument is more geared towards. The conception of rational loyalty, as presented by the authors, is very Platonic in nature. This realm of ideas is heralded as the object one should owe loyalty to, and through whistleblowing, the real-world company could be geared more towards that idea. What happens, however, when the ideas themselves are immoral in nature? This justification of institutional whistleblowing seems to be so stripped down and cleansed of ethical implications that it could be seemingly used as justification for the use of whistleblowing within all manner of unsavory organizations. For instance, Nazi Germany could likely use this same line of thinking to implement whistleblowing as an institution within their government. It could be argued that “whistleblowers could be acting out of loyalty to “Nazi ideals” or to the führer, and thus institutional whistleblowing could help us stay closer to the Nazi code or the führer's teaching”. Even with the lack of ethical considerations out of the way, this almost idealistic line of thinking leaves us with numerous ethical quandaries to contemplate, as our real world is often so different from this realm of ideals. For instance, what if the mission statements, code of ethics, and goals of the business are ever-changing, contradictory, or unclear? The authors do explain that loyalty is a learned process that does take time and effort, but the exact details of this equation are not made clear. When we relate this back to Manning, the idealistic nature of whistleblowing and loyalty becomes clearer. For instance, if we use the logic presented in the article, it would likely say that Manning acted out of rational loyalty to the United States. To steer the U.S. back towards its ideals and code of ethics, the whistle was blown. This sounds like a comforting prospect if you wish to protect every participant, framing the U.S. simply as an institution having a small misstep from its lofty goals and Manning as a brave whistleblower steering the institution back from temporary misdeeds towards the ethics that inspired her. But what is the code of ethics of the United States? What are its mission statements and its goals? What if it acted in perfect lockstep with its mission statement and code of ethics but still committed numerous misdeeds that, overall, held less ethical utility and caused more overall suffering than other outcomes? What if its mission statement is contradictory and unclear, sometimes emphasizing freedom and democracy while also killing innocent civilians without a jury, trial, or even consideration? What if one initially agreed with the mission statement and ethics but, over time, realized they no longer supported such an unethical mission? These are all quandaries, I believe, that test the concept of rational loyalty in this case and in general. Mostly, this testing comes from the fact that the authors seem to take for granted the claim that loyalty is inherently an ethical act and then expound upon loyalty throughout the work. This presupposition is almost used as a way to sidestep numerous ethical questions and implications that the authors are not willing to address, and instead allow the authors to expound upon a discussion they are more comfortable with in a world that does presuppose certain facts about loyalty. Simply put, if you must be disloyal, both to the code of ethics, the mission statement, and the ideals of an institution, as well as to the institution as it is in reality, in order to reach an outcome of greater utility with less suffering and more good, then that act would be more ethical than the alternative.

Oxley and Wittkower's *Care and Loyalty in the Workplace*, in *Applying Care Ethics to Business.*, further expounds upon the nature of loyalty to a business and the nature of

whistleblowing. The authors here use the ethics of care to hopefully correct some of the discourse surrounding loyalty and disloyalty. This attempt seems largely successful, as it seems to highlight many of the issues with the previous work and have more explanatory power when it comes to explaining the relationships employers have with their employees and vice versa. For instance, they are characterized as being commonly seen as impartial and universalizable by academics. This contrasts with the author's assertion that it is, in fact, very partial. This explains many of the issues that developed out of the previous work. For instance, the authors here explain that because of this, every expression of loyalty is not inherently moral. While the authors recognize the complexities of morality within the relationships of a workplace, they outright state that loyalty cannot be considered simply moral and that loyalty is immoral. In addition, being "deserving" of loyalty does not simply obligate one to show it. This has numerous implications for whistleblowing, as the authors expound upon specifically in the work. For instance, they highlight how the ethics of care more accurately showcase the ambiguous nature of loyalty and whistleblowing. Loyalty, in fact, could either inspire whistleblowing as an act to showcase uncaringness or a lack of care, or it could inspire an attack on whistleblowers in order to silence them. The authors further highlight the failings of the previous work by showcasing that those who desire loyalty to be obligatory have a "strong incentive to artificially define loyalty so that it is always moral", because the idea that someone could be obliged to do immoral things is problematic for the very same thinkers. This is capped off by the author's concept of appropriate and inappropriate loyalty. Using this care model, the author is able to more accurately show that appropriate loyalty is when the employee shows loyalty towards an employer that itself shows care towards the environment, consumers, employees, etc. Inappropriate loyalty is when loyalty is still shown even when this standard of care is not being met. These concepts all seem to have much more explanatory value and relevance than other models so far. They also seem to work much more in tandem with utilitarianism. The only issues that seem to arise, however, are with the author's introduction of the concept of critical care and the recommendations surrounding it. With this concept, the incongruence between the ethics of care and utilitarianism seems to reveal itself. While appropriate care is loyalty when a company is meeting a standard of care and inappropriate loyalty is loyalty when it is not doing so, critical care is similar to the concept of rational loyalty through the lens of the ethics of care. Essentially, it is an agent realizing the immorality of a company but still exhibiting care for the company and the relationship by attempting to reform it and pursuing the "corporation's best possibilities as she sees them". The authors then recommend that when loyalty is not appropriate, critical care should be exercised. Utilitarianism, however, would not always recommend such a thing. In situations such as these, it can be moral, at times, to act out against a company explicitly. There are numerous cases where reform is not possible and instead a fight against the entity must occur, where any retaliation or weakening of the entity results in success. This is where we could now lay out what Manning's actions constituted and the ethical implications of them. Simply put, Manning acted in a way that sought to achieve the greater good. Loyalty, at this point, was likely irrelevant to the morality and ethics of the circumstances, as Oxley and Whittkower have shown us. The actions of the U.S. military were so ethically reprehensible and so far from the potential outcome of the least suffering that explicit action to harm political standing and operational effectiveness was likely the most ethical solution. While Oxley and Wittkower get us close to an ethical understanding of why Manning's actions were ethical, the

recommendation of critical care was seemingly not a possibility. Reforming such an institution from the inside was seemingly not only impossible, but likely counterproductive to achieving the greater good. In this case, then, loyalty or not, the actions of Manning created a better outcome with less suffering, even if they harmed her own life for a greater purpose. This outcome even extends to the possibility that it puts numerous servicemen and women's lives in jeopardy. Even if it did, the immense suffering and loss of life caused by the U.S. military's actions were so great that if such danger, or even loss of life, led to less harm and suffering done to those on the opposing end of the harm and aggression, then a more ethical outcome with less suffering and harm would still be achieved.

In conclusion, Chelsea Manning's leak of the U.S.'s actions in Iraq was likely not motivated by loyalty but was ethical. We are able to better understand loyalty, as it is related to ethics as well as institutions and their employers, through the failings of Vandekerckhove and Commers' work and the success of Oxley and Wittkower's work. This understanding helps us realize that loyalty is not always moral, and disloyalty is not always immoral. Therefore, Manning's loyalty was seemingly irrelevant to whether or not it was truly moral. Utilitarianism then shows us that the outcome of Manning's choice was an ethical one. The recording and events were, before the leak, unknown to the public and likely to never be released. Manning's actions of leaking them had the ramifications of exposing the actions and seemingly served as a way to combat the U.S. military as an institution and reduce its ability to continue as unopposed as it was before. Therefore, this action reduced the ability of the immoral actor to operate at its previous efficiency, which in turn reduced the overall suffering, creating a better outcome, even if by a small amount.