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PHIL 355E

Module 5

#### 5.4 Case Analysis on Whistleblowing

In the video titled *Collateral Murder*, which is a leaked video including conversations between military personnel operating an attack helicopter above Baghdad, Iraq where we can observe various instances of indifference towards death on the battlefield and what appears to be a general lack of humanity. The individuals in the video indiscriminately use a 30-millimeter cannon/Gatling gun mounted to an AH-64 Apache attack helicopter to wreak havoc on individuals based on a mere assumption. This included two journalists from Reuters, individuals in neighboring homes and buildings, and children. This indiscriminate killing and a general lack of indifference and respect for humans in a warzone is why the videos leaked by whistleblower Chelsea Manning were titled collateral murder. In this Case Analysis I will argue that Kantianism shows us that Manning did act out of loyalty to the United States and that her actions were indeed a moral case of whistleblowing.

In Wim Vandekerckhove's writings titled *Whistle Blowing and Rational Loyalty* and printed in the *Journal of Business Ethics*, he presents a method for the effective redefinition of what loyalty means in the context of an organization/institution and how to leverage this newfound definition of loyalty to "institutionalize whistle-blowing." Vandekerckhove provides examples of previous attempts to redefine loyalty in a more organizational sense; however, each

implementation/solution typically leaves out one necessary component. Vandekerckhove analyzes and identifies these discrepancies and leverages them to create four strongly developed criteria for defining “rational loyalty.” These criteria define rational loyalty as a learned attitude aimed at an object, having an “explicit external referent,” and being bilateral in nature. The attitude aimed at the object is not used in the sense of the organization or its head but to the statements, mission goals, and values that the organization revolves around and acts consistently with. This can also be considered the previously mentioned explicit external referent. The premise of loyalty being a learned attitude, meaning it cannot be contractualized or derived from a contract or job requirement/obligation, is built in relation to the referent. The fourth criterion, relating to loyalty’s bilateral nature, “demands” organizations to “institutionalize whistle-blowing” or implement the necessary channels to enable employees to blow the whistle. This implementation should not encroach on the freedoms or liberties of the individual, and the institutionalization of whistle-blowing can and will benefit the organization. Internal channels will enable protection for the individual, any other parties involved, and the goals and mission statement of the organization.

The average citizen of the United States would consider the goals, values, and mission statements of America to relate to justice, freedom, and security. Chelsea Manning was an intelligence analyst of the United States Army. The army and other branches of the United States military are often depicted as agents of these American values, oftentimes leveraging the Bald Eagle and other symbols of freedom and justice in their identifying insignia. Before joining the armed forces or any other branches of the United States military, you do not observe the internal machinations of the supposed agents of the American will. Manning was likely not aware of

what they would discover during their time as an intelligence analyst but joined because they aligned with the proposed goals and mission statements, which is the object of their loyalty as defined by the first criterion of rational loyalty. There were obvious discrepancies existing between their ideals of the U.S. army and what was observed concerning their expectations. Per Vandekerckhove's definition of rational loyalty in an organization, any possible obligations for Manning's loyalty were rendered obsolete, enabling her to blow the whistle.

The deontological position proposed by Kant (Kantianism) holds one's reasons/expectations for their actions as the primary subject of review, rather than the results of their actions. Kantianism holds that one should align their actions with the categorical imperative to "be good" and hold respect for others. Manning was not seeking power, fame, or money, but was horrified by the crude violations of humanity and a general indifference towards others. She sought to hold the government and military personnel accountable for their indifference and failure to convey the true state of the war to their citizens. Her decision to blow the whistle, as viewed through a deontological lens, was a moral decision.

In the writings by Julinna Oxley and D.E. Wittkower titled *Care and Loyalty in the Workplace*, a certain emphasis is placed on care concerning loyalty in a relationship or an organization. There is no contractualization or duty to fulfill in a relationship that holds some form of bilateral loyalty. By contractualizing any requirement of loyalty, such contract renders true loyalty to be above itself, as loyalty itself "involves going above and beyond duties and obligations." The understanding of loyalty as defined by Oxley and Wittkower revolves around some form of an "expression of care" rather than a contractualization of duties and obligations

like those observed in loyal relationships. This expression of care is typically rooted in some form of mutual partiality between two entities within or relating to an organization. This partiality can still exist when an organization is participating in malicious, unethical, or undesirable activities; however, it may propose a question to the member who is employed, partnered to, or in some similar position to the individual responsible for said activities. This question revolves around whether they should attempt to leverage internal channels to shift these activities to be willed ethically. In an organization, loyalty to a member or a goal, value, or mission statement may require proper participation in whistle-blowing to ensure the organization remains consistent with its core tenets.

Manning's care and partiality did not lie with the personnel of the military, the military as a body, or the bodies responsible for governing the military and its personnel. Their partiality and loyalty lay with the proposed values and mission statements of the United States military, revolving around justice, freedom, and righteousness. The very actions presented in the videos leaked by Manning showed the United States Army enacting overwhelming power to eliminate various individuals based on weak judgments and loose rules of engagement. These actions are a direct contradiction to the previously mentioned values and are a crude violation of one's freedom and dignity. This violation of the expected ideals also shows the military's impartiality towards its soldiers, as they recruit under the premise that their soldiers are doing work that can be defined as righteous and necessary for the greater good.

Per a deontological lens as proposed by Kant, where we must treat everyone with respect, it is obvious that there was no respect for individual rights in these videos. Deceit was also

leveraged to swiftly obtain permission to engage. The military personnel operating the helicopter and the mounted 30-millimeter Gatling gun exhibited a strong desire for a weakened and injured individual to pick up a weapon so that he could engage. Although a utilitarian point of view could argue that lives were saved by eliminating these individuals (albeit unlikely), Kantianism emphasizes the rationale behind certain actions. There was no observable intent to protect, defend, or otherwise act consistent with the categorical imperative, only slaughter and the gamification of war. Manning's decision to blow the whistle was ethical per this deontological reasoning.

Overall, the United States military and its affiliated and governing bodies exhibited a crude violation of human rights and a gross indifference towards individual respect and their right to dignity per a deontological positioning. Considering that the funds allocated towards the military and its industrialization and development are only growing and that a significant portion of that funding is derived from taxpayer money, Manning's actions were instrumental in holding these military bodies accountable. It is unlikely that the average citizen would knowingly contribute funding to the crude and unethical slaughter of innocent women, children, and even American journalists due to a failure to define stronger rules of engagement and a general indecency present throughout the desensitized military personnel. Manning invoked a much-needed discussion relating to the address and reform of the rules of engagement and fought to uphold the true values and ideals of the United States of America which is a strong exhibition of rational loyalty.