

Name
Professor
Course
Date

Ethics Paper

Introduction

The issue of whistleblowing raises serious ethical questions, some of which are not immediately apparent. On one level and generally speaking, there is something of a heroic aspect attached to it; an individual is often perceived as bravely alerting the public to a wrong or abuse of power, and frequently jeopardizing their own position, or even personal safety, in the process. On another, however, circumstances may easily be complex, and the perceived wrong is in fact a matter of interpretation. Then, the whistleblowing itself may require that confidences be breached, so it is then an “ethical” act committed by “unethical” means. As the following will explore, a Kantian perspective here is of little value, chiefly because whistleblowing likely involves more than one form of duplicity, and these duplicities inherently exist within all whistleblowing scenarios. Kant's absolutes cannot then accommodate the gradations inherent in these matters. Ultimately, and as will be seen, whistleblowing is only as ethical as the circumstances of each episode dictate.

Discussion

To meaningfully engage in the subject, it is first necessary to understand the complex nature of whistleblowing itself. As noted, this is commonly viewed as an act whereby one individual discloses to the public secret information regarding unethical – or criminal – conduct of organizations, government agencies, and public figures. This then goes to cases of corporate deception or governmental abuses of power, so the consequences are significant. The most simple performance of whistleblowing is then the individual choosing to reveal these realities,

which in turn goes to a promotion of justice. Wrongs are identified in some manner by the individual, the decision is made that the wrongs require disclosure, and that personal risk is irrelevant under the circumstances, and the public is informed of abuses and enabled to address them. Such a scenario then appears to be essentially free of ethical conflict.

Unfortunately, there are limitless variations in how and why organizations and individuals abuse responsibility, just as even the above template does not address the likely reality of the whistleblower as needing to violate a confidence agreed to by them. Regarding the first point, there are the crucial elements of degree and motive. The importance of these cannot be overstated because they go to moral complexities not easily sorted, and consequently the integrity of the whistleblowing itself. For instance, a hospital employee may uncover evidence that the organization is tampering with its accounts and reporting false incomes to the government. This information in hand, the employee may then go to the media and create a scandal; investigation follows, and it is inevitable that the hospital suffers in the processes. If, however, the hospital's financial misconduct is based upon its efforts to provide free health care to the poor, and that the misconduct is the only means of subsidizing these efforts, the entire ethical framework changes. The whistleblower has disclosed a wrong, but perpetrated a perhaps greater ethical wrong in doing so.

There is also the issue of the second point, in that whistleblowing invariably translates to some breach of confidence on the part of the person engaging in it. This is by no means a minor consideration; if ethics have any meaning, they exist within the trust established between the individual and the other party. What this then presents is the dilemma going to the heart of the primary matter; one morality, essentially, must be compromised or sacrificed in favor of another. This is a reality or conflict antithetical to any Kantian view of ethics, simply because it demands

perspective and a subsequent assessment of degrees of moral worth. With Kant, there may be no such process because it must involve deciding upon relative quality in an arena in which moral quality is consistent and absolute: “The moral worth of an action does not lie in the effect expected from it, nor in any principle of action which requires to borrow its motive from the expected effect” (Kant 19). In no uncertain terms, whistleblowing is performed to achieve a result which will validate itself, and this blatantly defies a Kantian insistence on morality as removed from any such consideration.

When this perspective of Kant's is fully considered, then, it becomes apparent that it is essentially inapplicable because, as noted earlier, the wrongdoing or duplicity already exists within even the potential whistleblowing scenario. This is true no matter the culpability of the targeted agent or the motives of the whistleblower; what matter is that there is either a belief in the wrong as real, the wrong as absolutely real, or a base motive on the whistleblower's part.

Put another way, the Kantian view cannot pertain to the intrinsic violations of ethics built into any such circumstance. These are inevitably matters wherein levels of ethics apply, and human affairs tend to demand that degree defines the greater or lesser quality of all conduct. For example, in a Kantian context, the hospital cited earlier is guilty of unethical conduct, apart from its motive, just as the whistleblowing employee is guilty of the same by virtue of their breach of confidence. What this then presents is the question, in fact, of how ethical theory may be valuable at all when it utterly disregards variations in motive and effect, elements which actually shape human conduct.

The Kantian perspective holding to morality in regard to lying as an absolute seems to be based on the not unreasonable concern that, when exceptions to lying are entertained, it is far too easy to break faith. Put another way, Kant holds that confidentiality is likely to be breached whenever

there is an opportunity for this to occur, as when the interests of one party are served by the breach (MacNiven 18). Here then, at least to an extent, is a realistic perspective offered. Interestingly, however, it also goes to that factor so dismissed by Kant: result. That is to say, it *anticipates* results as the foundation for its being, and this is clearly suspect in an ideology otherwise concerned only with moral absolutes. It actually asserts a likelihood of immorality, and that is nothing more than potential effect. Far more helpful would be the ideology able to differentiate between degrees of immorality, which points to Kant's thinking as perhaps unwilling to address this, rather than philosophically opposed to such ideas.

Essentially, the chief difficulty with whistleblowing lies precisely in how varied may be the circumstances of it. There are extremes and there are as well “gray areas” wherein good is not easily determined as the motivation of either party. It is in fact an immense and insoluble issue for ethics, at least in terms of any formula able to encompass its many manifestations. Too many elements come into play, and in an endless variety of degrees. The government employee who discloses secret files implicating the military in covert operations may be doing so out of the grossly unethical desire to gain fame; from a genuine belief that a failure to reveal the truth is an unacceptable wrong on the government's part; or the impulse to damage the government. Within each potential, ethics vary greatly, and even the second does not address the possibility that the covert action goes to a greater good, or a good greater than the lack of ethics attached to it. This is human reality; there are greater goods, just as there are suspect motives and means behind whistleblowing, so no exact adherence to one set of ethics may serve as a framework for whistleblowing.

Conclusion

Kantian thinking, as is true of other ideologies, has a powerful appeal because it does not admit

to exceptions. This is compelling and attractive, but it also ignores the reality that human affairs are essentially always matters of “exceptions,” just as what is good is typically defined by how much better it is than any alternatives. Nothing more strongly reinforces this than whistleblowing, which may exist as wholly noble or utterly base. It is a practice which demands that relative assessment be applied, as it invariably requires some duplicity to even be performed. This being the case, Kantian absolutes are meaningless, and the ultimate reality to be addressed is that whistleblowing is only as ethical or unethical as the circumstances of each episode dictate.

Works Cited

Kant, I. *Kant: Groundwork of the Metaphysics of Morals*. Radford: A & D Publishing, 2008.

Print.

MacNiven, D. *Creative Morality*. New York: Routledge, 2002. Print.