

Ethics of integrity warnings - between social conditioning and moral stakes

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Abstract

The issues related to the ethics of integrity warnings are not new, they were signaled even before the advent of legislation dedicated to this phenomenon, even in American culture, which gave the world the concept of whistleblowing, the parallels with the terms “informer” and “snitch” have always been present and continually assumed ethical and moral implications. Romania, as a case study, can easily move, at least in appearance, from a country of alleged security informants, to a country of integrity warners, at least according to DNA (National Anti-corruption Division) and ANI (National Integrity Agency) statistics. We will seek to demonstrate that the ethical attitudes underlying public warning are closely linked to the behavior encouraged by society over time, including during the communist period.

Keywords: *active matter, nonlinear causality, relativisation, singularity, potentiality of the matter, ontic rejection of the active form.*

Argument

“Integrity warnings”, so called in the European legal literature, “whistle blowing” in the American literature, in the sense defined by Romanian law as “a notification made in good faith regarding any act that involves a violation of law, professional ethics or the principles of good administration”, (LAW no. 571 of December 14, 2004, on the protection of personnel from public authorities, public institutions and other units that report violations of the law), will always suppose moral and ethical reports.

We refer here, first, to the primary assessment made by the future “whistleblower”, then to his ethical decision to perform the “reporting” action, then to the methods of making the reported situation known. From a first assessment, we find a whole set of moral and ethical determinations that the person who decides to make the warning must go through. However, we will have

to base on the historical aspects of the phenomenon that we study, and which we call from the beginning as an “ethical attitude”.

We will, throughout this paper, outline, rather than analyze, some of the possible historical determinations of this “ethical attitude” in order to outline its moral motivations, suggested or encouraged by legislation or the cultural-historical model, paying attention to the communist period and the return to Europeanism.

In this way we will approach the answer to the undertaken research question: “Which moral considerations can put an individual in the position of using the integrity warning?” Throughout this paper, we will theoretically frame both the moral premises of “integrity warnings” and the connection between them and the social model sustained throughout history in different eras.

Prolegomena to this paper

The public debate, minimal in fact, simultaneously appeared with the need for the adoption in Romania of “Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons reporting breaches of Union law” is a sufficient opportunity to make a few launches and questions of consistency on the “social conditions and moral stakes” of the public warning act, as it is provided in the new Romanian legislation.

Starting from the philosophical foundations of ethical behavior (Sextus Empiricus, Thomas Aquinas, J. S. Mill) we will highlight the way in which the simple ethical theory of goodness becomes a social debt and a duty to react to injustice, abusive behavior or illegality. The reported issues will later help us to clarify the “behavior of contemporary man”.

In the second part of the paper we will theorize the “historical human model”, reviewing some references to the different historical concepts and idealizations, consistently projected in relation to the moral values encouraged at the time (P. Hazard, P. Mason, J. Sevilla, F. Fukuyama, P. Drucker). The highlighted hypostases will bring us closer to the overlap of the concept of “human model” with that of assumed ethical behavior.

In the third part we will, in order to get closer to the conclusions we are trying to reach, tackle the way in which the Romanian communist society, and not only, aimed at changing the scale of moral and ethical values (R. Guenon, S. Huntington, P. Karnouh), with the clear aim of controlling the population in the light of the “great communist aims”. The aspects are important both from the perspective of the obsolescence or disqualification of the scale of social values, and from the perspective of the influences they can (possibly) exert in the

contemporary societies of the countries after the “Iron Curtain”, especially in Romania.

We are thus approaching a question, that of the evolution of the idea of “reporter of the violation of the laws” in the post-communist society, following the possible overlaps with their concept known as “informants” and “collaborators” of the Intelligence and Population Control Services.

In the conclusions of the paper, showing that historical epochs automatically change the ethical behavior of the model man, we show that today, in line with the projected ethical model, the typical behavior of the whistle-blowing phenomenon is, as expected, as present. Regarding the overlaps between the two behaviors, that of “caster” and that of “integrity warning”, we stir the reader’s curiosity on our notes. We only point out from now on that we find more interesting from an ethical perspective the motivations of individuals who decide to make so-called “reports of violation of the law” for personal reasons, not for the order of social ethics. Here, it seems to us, lies the specific configuration of the contemporary Romanian society.

I. Social ethics and social duties

Ethical behavior can have as its simple explanation “the desire to do what is right.” But no matter how simple we try to explain, this desire involves an attitude, desire or impulse, and an evaluation of what is “good.” Both the impulse and the evaluation represent subjective feelings, which are the result of the personal and social evolution of the individual, including education. “Firstly one must learn the nature of the good itself, then in this way one will understand that it is useful and worthy – for themselves – and worthy of our choice; and thus one will understand that it is the maker of happiness,” says Sextus Empiricus in *Philosophical Works*. And below, he also tries to refer to his “source”: “So it remains to say that good is related only to the soul” (Empiricus, 1965, p. 151).

We need confirmation, trying to prove that first the impulse, then the evaluation, and later the decision to act to pursue the good are all subjective feelings. Moreover, an important aspect of our work, is that these decisions involve, in addition to moral feelings, even taking risks. Thomas Aquinas is the one who explains the risks taken, by the theory of “ethical debt”, in our case, of debt to society. “I answer affirmatively that, according to the above-mentioned, a certain sense of virtue is naturally inherent in man, but the very perfection of virtue requires that man attain it by a certain discipline.” (Aquinas, 2005, p. 184), and below, the emphasis is: “To the first objection, I answer that, as the Apostle says,”

all human power is from the Lord, and therefore „he who opposes power”, in the sense of power as an order, “opposes the command of the Lord” and, according to this, ends up guilty in regard to conscience (Aquinas, 2005, p. 202). A pious orientation, both towards power, therefore towards divinity, and towards social order as a “divine will”.

Later, in the history of social ethics, John Stuart Mill brings new configurations. “So what are the legitimate limits of an individual’s sovereignty over himself? Where does the authority of society begin? How much of human life should be left to individuality and how much to society?” (Mill, 2017, p. 111), asks the utilitarian philosopher. The accents are obvious below: “Man must be free to do what he pleases in matters that concern him; but he must not be free to do as he pleases when acting on behalf of another on the pretext that the other’s business is his own. The state, while respecting the freedom of everyone in matters concerning it, must maintain vigilant control over the exercise of any power which an individual is permitted to have over others.” And with regard to the obligations of the state, the philosopher addresses the issue of universal education.

In this way we return to the already presented launch of Sextus Empiricus on education. The difference that Mill makes is that of general interest, which once educated individuals could serve: “The principle of freedom is based on individuality, which has value in itself for welfare, when it is instilled in people’s lives, being just as important an instrumental value as humanity progresses.” (Ene, 2000, p. 158)

In fact, this is the vein that interests us from the perspective of the next subchapter of our paper, the one dedicated to moral values and ethical behavior specific to each historical period. Specifically, on the unfairly thin thread of this paper, we seek to recall how social ethics distances itself from the vein of the “doctrine of social obedience” and increasingly values individuality, assumption, action and social attitude.

We call on Schneewind to emphasize the pursued perspective: “During the seventeenth and eighteenth centuries, established concepts, such as obedience, came to be increasingly challenged by the emergence of moral concepts such as self-government.” (Schneewind, 2003, p. 28). With a necessary reference to Kant, the author completes the short journey we tried above: “Kant is the one who proposed a true and revolutionary re-evaluation of morality. He is the one who stated that we are self-governing by virtue of the fact that we are autonomous.”

From obedience to self-government, then to utilitarianism – Mill’s liberalism, the whole evolutionary course of social ethics is in fact the progress of mankind in the direction of the fundamental value of humanity, namely dignity. If

we have succeeded, more or less, in arguing that the whole ethical behavior of individuals is socially grounded, we will continue to highlight how the human specific model to each era changes, in direct connection with the evolution of morality and social ethical regulations. All from the final perspective of our paper, which seeks the answer to a simple question: “Has humanity reached the stage where moral values and ethical frameworks can be assumed by individuals who exponentially multiply the ideal human model?”

II. The individual model through the ages

Not only morality and ethics, through the values proposed and supported by them, know historical pulsations. Automatically, and with them, the social model does, too. For, in the end, the archetype of modern man is nothing but a reflection of the values and behaviors that the age cultivates.

Closely related to these, the place and role of the individual in society as well as the encouraged human model, know different valences and nuances. The way the model man gets involved, takes attitude, participates and even models, is closely related to this projection. Over the centuries, this model has undergone evolutions and changes that we can observe and evaluate more easily today, taking into account even the historical experience:

“The world is in one of those moments, interesting to be surprised, when the screen is blurred, when different images overlap, one delaying its disappearance, another still lacking in clarity and security,” observes Paul Hazard, referring to the end of the seventeenth century and the beginning of the eighteenth century. “The gentleman was fading, the bourgeois was slowly taking shape and color. The world no longer wanted dominant aristocratic principles until then. Farewell to the warrior, said the author, referring precisely to the change of the human ideal.” (Hazard, 2007, p. 336)

Continuing the narrative, another contemporary author wonders what the current model of human projection is, starting from Hazard’s data. “If feudal society had as its perfect model the medieval knight, and capitalism the bourgeoisie, then who is in the historical scheme of things, the bearer of post-capitalist social relations?” (Mason, 2022, p. 179), Paul Mason questions the historical radiography of the evolution of the model man.

On the contrary, this new type of man would be able to take responsibility and take research products in narrow fields, to apply them in general: to apply the theory of chaos in economics, genetics in archeology, or extraction knowledge of data in social history. (Mason, 2022, p. 179)

In the order of historical evolution, capitalism has the task of creating the “new man.” For Marxism failed, Drucker believes. “But as a creed, Marxism collapsed because it did not create the «New Man»” (Drucker, 1993, pp. 12-13). Moreover, in the order of social morality, it proved to be a negative experiment. Has this created a vacuum of “human model”?, because we cannot overcome the finding of a Karnoouh:

In other words, in order to face the challenges of late modernity - which destroyed political liberalism in the early twentieth century, liberals have nothing to offer their fellow citizens but ideas that were once successful. And we understand why their speech is less and less appealing. (Karnoouh, 2000, p. 24)

Therefore, we cannot fail to notice the generally recognized argument: with the eighteenth century the aristocracy loses the primacy of imposing its own model, the knight, in front of the bourgeoisie, which proposes instead the trained and socially concerned individual. Communism appears as an “intermezzo” towards the end of the capitalist era, with its maturation, and only in half of Europe, but failing in the effort to impose a new model of society, but contributing to the decline of the bourgeoisie, liberal doctrine. So what is the post-capitalist model? Is there another social model that thinks in the spirit of morality, acts in the spirit of ethics and assumes the “duty to do good”? as we saw in the previous part of the paper?

Generations born in peacetime, whose parents did not even know the war, cannot understand that millions of people defied death to defend their homeland. (...) Some generations accustomed to claiming rights how can they understand the phrase “do your duty?” (Sevilla, 2012, p. 128)

Because we are in those moments of history when, according to Hazard, the images overlap, the old pictures are blurred, many new ones appear and are configured.

We are therefore talking about the individual involved and concerned with fate and social destiny, as he becomes more and more informed, with democratization and universal access to decision. We are talking, most likely, about the new society, made up of individuals with ethical attitudes, interconnected through the media and social media, able to obtain information about it, and, at the same time, to carry out gregarious actions that support increasingly ethical attitudes. We are almost certainly talking about a society that the model individual knows, can model by intervening, in order to reach its ideal, a society in which, as Fukuyama claims, one reaches “trust”:

Social capital is a capability that arises & om the prevalence of trust in a society or in certain parts of it. It can be embodied in the smallest and most basic social

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group, the family, as well as the largest of all groups, the nation, and in all the other groups in between. (Fukuyama, 1996, p. 26)

Fukuyama's social capital, trust in people, laws or institutions, automatically lead to a functioning society, in which individuals cooperate:

Cooperation brings with it an increase in productivity as a consequence of the combined power of the people. (...) Above all, repeated cooperation involves employment, ie the reduction of options, and the channeling of resources in one direction, ignoring the normal oscillations when temporarily, personal disadvantages outweigh the advantages. (Boari, 2006, p. 145)

Cooperation and employment are the two terms we stick with from the author. It is responsibility that still interests us.

III. The ethical parenthesis of communism

We approach the communist period, as well as its attempts to change the social structure, as a suspension from the natural evolution of society. Unfortunately, Drucker's findings, which we return to, are entirely true, especially from the perspective of social morality.

On the contrary, it brought to light and consolidated everything that was worse in "Old Adam": corruption, thirst and a desire for power; social envy and distrust, flattering tyranny and secrecy; theft, lying, denunciation (denunciation) and, above all, cynicism (...) (Drucker, 1993, pp. 12-13)

Communist regime of Soviet origin, imposed on Eastern Europe in the immediate aftermath of World War II, remains recognized precisely for this type of attempt: overthrowing of moral values, changing of interpersonal ethics, manipulating of specific ethics, of professions considered relevant for the transmission of official state propaganda: the community of scientists, the representatives of "people's democracy" – political activists, intelligence workers, high-level intellectuals (engineers, teachers, doctors, etc.). none of these categories remained untouched in the sense of changing the hierarchy of ethical values.

But the great aggression promoted by this type of regime consists precisely in the attempt to "re-educate the population", with objectives that went down and affected the interpersonal ethics. The well-known tendency to overturn values, especially social ones, and automatically personal ones, had come to transform attitudes such as respect for one's privacy into a duty to follow it, the type of mutual trust in the obligation of denunciation, the kind of respect for the other's opinion in a clear assimilation of enmity towards the annihilating regime, with claims to hold the absolute truths sustained in the name of "communist social equity". And in order to reach such social horrors, communism proceeded to

subvert the fundamental values of morality, precisely to ensure the freedom of its route. “The overthrow of any hierarchy occurs as soon as the temporal power wants to become independent of the spiritual authority and then subordinate it to it, asking it to serve political purposes; (...).” (Guénon, 2003, p. 129).

A logic in the name of which, according to Huntington’s theory, state institutions end up serving their own interests, transformed into superior state reasons, a classic case of mass manipulation.

In contrast to the theory of representative government, under this concept, government institutions derive their legitimacy and authority not insofar as they represent the interests of individuals or any other group, but insofar as they have distinct interests, their own from other groups. (Huntington, 1999, p. 33)

Automatically, with this whole process, subversive and demolishing, the consequence also appears: the “model man” of the communist society, who takes over and uses the above mentioned concepts from Drucker’s work. Everything, in a frantic dandy, accompanied by a deafening background: the communist ideology, exclusive, supreme, irrational.

Man is declared omnipotent and ideology oversees the identification of the abstract individual with concrete power. The veneration of power has its origins in contempt for traditional values, including those associated with the survival of reason. Therefore, it is important to repress the temptation of critical reflection, since reason is the enemy of total regimentation. (Tismăneanu, 1997, pp. 22-23)

Contempt for traditional values, regimentation, obedience – all as a result of communist totalitarian ideology. Hence the new man: indoctrinated, submissive, militant, servile. The remaining steps are few to reach the informer – the final hypostasis.

The study of these aspects, the mistreatment of personal ethics and the overthrow of moral values have already been dealt with by well-known authors of consistent studies on the period.

Claiming to give a total answer to the whole economic, social, political, artistic and even private life, Russian communism was on the same position as the Christian World before the first cracks threatening the unity of the Church in its Roman version. (Karnoouh, 2000, p. 64.)

Conclusions

The condition of whistle-blowers has never been comfortable in history:

Still suffering from purulent wounds, one of the “conspirators”, Gabriel Malagrida, was in the prisons of the Inquisition, and on September 21, 1761, he was burned alive in front of the crowd gathered on the quay in Lisbon, the last person to be burned by Inquisition in Portugal. (Green, 2019, p. 504)

Until the end of the 18th century, therefore, people could die at the stake for revealing the abusive actions of the authorities. The twentieth century, unfortunately, has not been overshadowed by the totalitarian communist experiment. “Assumptions, public statements or opposing attitudes filled prisons and then cemeteries with those who assumed the condition. In the homogeneous space of total domination, the opposition is equivalent to crime, and the opponents are treated as real criminals.” (Tismăneanu, 1997, p. 24)

The democratic environment of the 21st century brings us into the position of finding the phenomenon of “warning” that we do not assimilate to political dissent, but which has obvious similarities with it: “Blowing the whistle on an organization is an act of dissent somewhat analogous to civil disobedience” (Near & Miceli, 1985, p. 4).

We find only for the moment that the struggle between the individual and the authority has experienced horrors throughout its social development, even if it has meant the physical disappearance or total aggression of the former.

In the light of those presented and assumed, some conclusions can be drawn, at our own discretion:

1. Throughout history, the “encouraged human model” itself has been democratized. From the narrow caste of aristocrats to that of the bourgeoisie, and today to that of “individuals with white wires, instantly connected to information” (see Attali, 2016), the number of those who could assume the condition of human model has expanded continuously;
2. We find that, even subjectively, the first condition of the model man in any society was education, as long as, fact demonstrated by us through education, society forms the characters it needs to survive;
3. The communist period is recommended, at any consistent evaluation, as a suppression of the natural evolution of the encouraged human model, making only a negative embrace in terms of this concept and the reversal of the scale of moral and ethical values.
4. With the democratization of the human model, through secured access to universal education, the action of “whistleblowing” becomes morally necessary and ethically expected, as long as the information has become public and quasi-transparent, and the concepts of “social justice”, “Fair treatment”, “non-discrimination” or “conflict of interest” are now available to evaluate any minimally involved and decently educated subject.
5. With this, we assume today the research thesis of our present paper: The social model encouraged by capitalist society brings with it the action taken

by the “integrity warrior”, ie the individual who takes inherent risks in order to achieve a higher ethical action: approval of the common interest.

We evaluate, at the end of our paper, as superior the tendency towards democratization of action and information, ideal goal and objective sought by modern society, first through the universalization of the right to education, then by assuming consistent goals (see EU Agenda 2020) to expanding the number of higher education graduates, thus making obvious the ethical stakes of modern society.

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