



Facing Irregularities in Sport: Whistleblowing and Watchdog Journalism. The Romanian Case¹

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- B) acquisition of data
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ABSTRACT

Mass-media is often called „the guard dog of society” due to its role in alerting the population when an issue is identified and this aspect is feasible also in sports media. This research analyses the media’s roles, responsibilities and its relationship with whistleblowers. The main focus of this presentation is on methods used by journalists in order to identify and research sensitive subjects such as corruption, doping and other cases of harmful irregularities in sport. Based on interviews with journalists from Romania, using a qualitative interpretation of their speech, it will be possible to see behind the façade of the journalist-sources relationship. „How could we increase the rate of investigations and the number of whistleblowers in sport?” is a central question of this research. The study examines also how to ensure a more critical approach to the task of exploring the influences in Romanian sports and in what manner this case could be framed in the global context. It helps to understand the potential of sports communication and educational journalism to influence in a positive manner the dynamics of reporting everyday issues and eruptive scandals in sport. An inquiring and sceptical media could help more to enhance transparency and encourage other sports stars or sports people to take action.

KEYWORDS

whistleblowing, sports journalism, Romanian sports

Introduction

The irregularities and corruption have dominated the Romanian socio-political discourse after the fall of the communism in 1989. The increasing need of morality and ethics was present also in sport, where the media investigations had the role to report the abuses and the corruption. Media is fundamentally connected with whistle blowing and whistleblowers, because they are the actors in the investigation process and are seen as important sources. Their capacity to understand and to spot irregularities in sport is complementary with their will to make justice. The whistleblowers help journalists with information and testimonies. But, for the journalist, it is not an easy task to persuade whistleblowers to confess unethical behaviours. Usually the only reward for the whistleblowers is a clean conscience. Both categories have in common the idea of morality (Vinten, 1992, pp. 3-20), considering that the journalist and the whistleblowers search to reveal the truth. When

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disclosing information about wrongdoings, both groups are expecting to eradicate the threats or things that cause unnecessary harm to sport.

Whistleblowing draws attention to wrongdoings in society, including sports, and it has been analysed in different ways by researchers in social sciences, ethics and laws. This type of people denounces those aspects that threaten the public interest and fair-play. The problem of whistleblowing has been an area of study in the last decades. Miceli and Near defined whistleblowing as

„the disclosure by organization members (former or current) of illegal, immoral or illegitimate practices under the control of their employees, to persons or organizations that may be able to effect action” (Miceli, 1992, pp. 15).

The concept of leaker was analysed by Kathryn Flynn and it was defined as the distribution through the press of unknown/unauthorized information that has not been processed by official channels (Flynn, 2006, pp. 256-273). There are different types of leakers with varying motivations, including the whistleblower. In this research, we consider the whistleblowing action as a pro-social and altruistic attitude, which could be improved by the media and with a proper education. The pro-social perspective on whistleblowing was studied by Hersh, which brings in front the dichotomy good-bad, a frequent discussion also in sport (Hersh, 2002, pp. 243-262). The analysis made by Hersh helps this study to observe the place of the journalist when it is about sports heroes and irregularities. In the same manner, Trevino focuses on moral development and the idea that the interaction between individuals helps decision making (Trevino, 1986, pp. 601-617). In our case, this theory, based on Kohlberg's cognitive moral development, serves as an instrument to understand the relation between whistleblowers and journalists in sports, where the ethics should have a high importance. The whistleblower is perceived as a person whose intention is that the wrongdoing must be stopped. Other leakers could have unrelated intentions, such as revenge, the need to be in the centre of attention, etc. Bjørkelo observes that the whistleblowing phenomenon is „relatively unanimous in relation to who may be labelled a whistleblower and in relation to what type of action or wrongdoing the employee must report in order for the act to be considered” (Bjørkelo, 2016, pp. 267-283).

In Romania, the idea of leaking information has a negative connotation. The origin of this linguistic distortion has a historic connotation, originating in the communism era. The existence of the *Securitate*, the secret police, was made possible by recruiting leakers or whistleblowers. Every informer/leaker was instructed to be loyal to the communist regime and to report every misconduct from the ideology (Deletant, 1999, pp. 64-65). As a result, this situation secured the idea that every leaker has a suspicious interest and his intentions are not ethical. The negative image of the informer from communism perpetuated until our days and it impacted the perception of the whistleblower concept. Over the past decade, these things have changed and evolved. For example, in the early 2000, Transparency International started a program to inform the public about whistleblowing and the fight against corruption. In this context, a law regarding this phenomenon (no. 571/2004) existed since 2004, but it needed some years until people were aware of it. This law is also known as the Whistleblower Protection Act and it refers to the protection of personnel who file a complaint about an infringement of the law observed within public authorities, public institutions or public companies. It is considered very strong in theory and proved its utility later, even though the implementation had its challenges due to a lack of knowledge of the law.

The evolution of the whistleblowing knowledge and the improvement of the judicial system in Romania made possible the bringing of important cases to justice. Sports had the lion's share in the corruption phenomenon. The cases of irregularities in the sports field were revealed almost exclusively by the media. The journalists' investigations disclosed the biggest cases of corruption, like “Bute Gala”, “The Transfers Papers” or “The Youth Day File”. The people involved were important politicians (ministers, state officials) and well-known Romanian club owners or sports agents.

The Bute Gala was a boxing event organized by the Romanian authorities, on 9 July 2011, when the Romanian Lucian Bute defeated the Frenchman Jean-Paul Mendy. The sports event was used for bribe taking and abuse

in office. The Romanian justice sentenced former Tourism Minister Elena Udrea to six years and four months imprisonment, and Rudel Obreja, former President of the Romanian Boxing Federation, was sentenced to five years.

The Transfers Papers gathered multiple corrupt financial deals regarding the transfer of 12 players from Romania to international clubs during the period 1999-2005. The Romanian justice sentenced to jail eight executives and management officials, who were found guilty of tax evasion and money laundering: George Copos, the former owner of FC Rapid Bucharest, Mihai Stoica, the manager of FC Steaua Bucharest, Cristi Borcea, the former owner of FC Dinamo Bucharest, Jean Padureanu, the former president of FC Gloria Bistrita, Gheorghe Popescu, football agent and former captain of FC Barcelona, Ioan Becali, football agent, Victor Becali, his brother and also a football agent, Gigi Netoiu, the former owner of FC Universitatea Craiova and FC National. They were important figures of the Romanian sport after the fall of communism and their names were part of the so-called phenomenon of Cooperativa, a system of fixed matches which has its roots in communism. The journalist Costin Stucan described his impressions regarding the Cooperativa and its consequences. "At the beginning I did not think that football was suffocated by the betting mafia. I saw many matches in the Cooperativa period² and after that I did not imagine that important matches could be fixed, with details. My beliefs changed when I started the investigation <<The Shadows Mafia>>. Hundreds of hours of discussions with football players, with people from football or people from the betting industry changed my perspective", explained Costin Stucan (Stucan 2012).

The Youth Day File was closed in February 2015, when the former Minister of Youth and Sports Monica Iacob Ridzi was sentenced to five years imprisonment, for abuse in office regarding events organized on Youth Day in 2009. These cases were exponential for Romanian sports after 1989 and they were revealed by journalists from *Gazeta Sporturilor*. It showed that the corruption phenomenon was a big problem in the Romanian society. In each of the previous cases, whistleblowers had an important role. In this context, media campaigns for fair sports were launched. One of those is "No to Abuse" in the journal *Gazeta Sporturilor*. It had a high impact on Romanian sports (Grigore 2018, pp. 90), determining people to trust in the journalists' mission and to highlight the importance of whistleblowing.

Method

The process of becoming a whistleblower could be understood better with practical examples (Charreire-Petit, 2013, pp. 142-175) and blowing the whistle should be considered as an interaction of the people that reports with social, professional and personal environment (Uys, 2016, pp. 60-79). The journalists of investigation are in a permanent research to identify, discover and reveal sensitive subjects such as corruption, doping and other cases of harmful irregularities in sport. In this direction, it is important to observe their work to find sources, to verify information, the principles of whistleblowing and the relation with the whistleblowers. The study is based on interviews with four sport journalists from Romania, realised in 2018. The four journalists agreed to mention their names in this article. They are important case studies, having a vast experience, each of them with more than 10 years in the field. The four people interviewed are journalists with an investigative background. All forms of media were represented in their experience, including newspapers, television, radio and online media. Note that all participants in this study are well-known as specialists of their domain. They have an evaluative attitude in relation with the whistleblowing phenomenon in sports.

Analysing makes use of the inductive, comparative and interactive approach. The interview as a methodological instrument is a useful knowledge-producing practice, being powerful in extracting people's views in greater

² The Cooperativa period of the Romanian football was considered the time when a limited group of people controlled the phenomenon, fixing matches, committing abuses and putting pressure, during communism, but also after the fall of the regime.

depth and it is considered „a flexible tool for data collection enabling multi-sensory channels to be used: verbal, non-verbal, spoken and heard” (Kvale, 1996). The main purpose in interviewing is to understand the meaning of what the interviewees say and to identify the context of their testimony.

This paper is based onto a general interview guide approach. The interviews were conducted following a general direction guided with a generic set of main questions, however there was no particular and purposeful order being followed. This type of interview allows for a degree of freedom and adaptability in getting the information from the interviewee. Qualitative analysis method is used to provide empirical interpretation of the conducted interviews. This analysis will be realised taking account a general overview of the media perspective on whistleblowing.

Knowing the principles, perceptions and working methods of sport journalists in Romania, this article main question is how is working the relationship between journalists and the whistleblowers in the Romanian sport? Considering this, multiple aspects will be addressed. To accomplish this objective of understanding the relationship between journalist and whistleblower, will be useful to add some secondary questions:

1. What types of whistleblowers are identified?,
2. What place occupies the term of integrity in the mentioned relationship ? and
3. How could be the whistleblowing improved ? All of these questions are identifying the challenges of this action in a domain where the concept of teamwork is essential.

The collected data are a rich reservoir of testimonies that helps an efficient understanding of the way how the Romanian journalists are working. To answer to the main question it will be tackled the way how it works the process of whistleblowing and the facilitation aspect (Vandekerckhove, 2018).

The first phase of the research was to collect data and to perform content analysis. After that, it identified the common themes in the journalists’ speech. Their strength is that they observe effects of whistleblowing in real contexts. The gain of the case studies presence in such study is, according to Hitchcock and Hughes (1995, pp. 317), that it focuses on singular actors or groups of people and seeks to understand their perceptions of events.

Results and discussion

In order to achieve the objectives, the questions for the journalists were formulated so as to obtain information about the relationship between whistleblower and journalist, the approaching strategies used by journalists, whistleblowers’ protection and the typologies of whistleblowers. According to Fincher, a person who has identified some irregularities in their organisation has four options: 1. to keep the silence; 2. to take distance from the illegal things; 3. to report the irregularities to his superior and 4. to make public the irregularities (Fincher, 2009, pp. 62-70). The four journalists were asked to tell which of these options are more common in sport and each of them mentioned at least one of the first two options from Fincher’s categorization. The last aspect concerns especially the relation between journalists and sports people. The journalist seeks to motivate the whistleblowers to present as many details as possible. For this purpose, it is important to build a good sense of trust between the journalist and whistleblower. A good journalist will protect the identity of their source if the situation demands it, and at the same time they should be able to turn the information into a story (Martin, 2013, pp. 136). Moreover, the journalist should be able to build a reputation, and if he has a track record with important materials, he will be approached by whistleblowers. „The whistleblowers offer authenticity to the investigation. From my journalistic experience, the whistleblowers need media channels or press instruments that they can trust, they look for a loyal partner, to stimulate them and to encourage them to blow the whistle”, explains Dan Udrea. He appreciates that the cases that have appeared in the last 10 years in the Romanian sports press are a consequence of the proactive collaboration between journalists and whistleblowers. „It is to the credit of the press and of society that this open attitude exists. The media has developed and the whistleblower has many more options to disclose information. And they have other examples with whistleblowers to look up to, which was like a domino effect”, thinks Dan Udrea.

One of the questions addressed to the journalists was to appreciate if the image of the whistleblower is influenced by the role of the leaker in the communist regime. The interviewed journalists recognized this pattern and have identified a confusion regarding these two positions. Trying to find people that could help them by revealing irregularities in sport, they have often received the answer: „I am not a *securist*. I am not an informer or communist to offer you information”. The potential source had the sensation that he will be perceived as a traitor or as an exponent of the Securitate. In this context, for the Romanian sports journalist, it became even harder to find a whistleblower to aid in his investigations. Even if the source had good intentions and an ethical behaviour, the fear to be tagged as a „securist” was an important obstacle in the relationship with the journalist, especially in the first decade after the fall of communism.

Discussing with these journalists, two types of relationships between whistleblowers and investigators could be identified. This identification is dependent on the person who triggers the action in revealing irregularities. The first direction is from journalist to whistleblower. The media professional researches the subject and identifies the possible sources. The whistleblower is usually a person who has an ethical behaviour and knows the phenomenon. The second direction is from whistleblower to journalist. The person who observes the irregularities feels the need to repair the unfair conduct and finds a journalist with a good reputation, a well-known investigator, in order to draw attention.

Whistleblowing in sport starts in the first instance as a concern about a wrongdoing taking place inside a sports organisation or institution. Subsequently, the concern is evaluated by the tandem journalist-whistleblower and it is compared with a situation of good governance. If all the ethical limits pertaining to such a case are maintained, then the case is brought into the public space.

Each interrogated journalist confirmed that the whistleblower perceived them as someone with the power to change. That person who occupies the role of whistleblower is considered without power to take decisions and without the authority to stop the phenomenon and for this reason „must appeal to someone of greater power or authority” (Johnson, 2003, pp. 4).

The safety of the whistleblower is another important aspect to consider in the process of engaging in this type of activity. For the journalist, it is difficult to manage the relationship with the whistleblower because he has to protect the identity of the source. In conducting our study, the case study of Constantin Negraru is of utmost value. He was an investigation journalist, before he became the Manager of the Integrity Department at the Romanian Football Federation. Based on his observations, he explained to us that it was easier to approach whistleblowers in his journalist position than in his job as an official of the Romanian Football Federation. „When I was journalist, I was seen as their friend and the players came often to me, but after that, when I worked for the Romanian Football Federation I was perceived as a corrupt official. It took me time to convince them to disclose information to me. I was the same person, but my job made the difference in a way that I had not anticipated”, said Constantin Negraru. This aspect could explain why journalists identify many times earlier and easier the federation’s irregularities than the authorities. And in the same time the institutions of this type could start from this point to search other methods to convince whistleblowers about their ethical interest. Constantin Negraru has revealed the case of footballer Marius Postolache, who disclosed that in 2012 he played in a fixed match. Constantin Negraru was at that moment a journalist. His interviews with Marius Postolache were a revelation for the Romanian public, but the consequence was that the footballer was excluded from the system. No club employed him after that episode. The Romanian Football Federation acted justly after the change of the administration, in 2014, and when Constantin Negraru came as the Manager of the Integrity Department. This case shows that the relationship between the journalist and the whistleblower is complex. The journalist has a double dilemma. He must protect himself against the whistleblower providing inaccurate information and often ends up defending the whistleblower. In Romanian sports, the source is discredited by those against whom he speaks. It was the case of Marius Postolache and of other whistleblowers. In the same time, in attacking the

whistleblower, the accused people or organisation may also turn against the journalist. Often, the cost is too high.

To improve the rate of whistleblowers in sports it is important to find out who these people are. Could we build a profile for the whistleblower in Romanian sports? How could journalists find them? What motivates them to talk to journalists? Discussing with the four journalists, it could be observed that, based on their description, *the social status* of whistleblowers is diverse. They could be the cleaning lady, a secretary or an athlete. They could be well intended or to have an interest to reveal something. In some cases, the whistleblowers were anonymous and they have preferred to stay outside their reveals. In other cases, their identities were known and they had no worries to make a step forward and point out the irregularities. A whistleblower motivation is usually simple. They are offering inside information to the media about wrongdoing with the hope to stop the unethical process, but their motivations are diverse. And from this aspect we can distinguish different typologies of whistleblowers. Frequently there is more than one motivation at work. „Few of them want to make justice and they are considering it is appropriate to react, however I also saw people who are trying to gain something, either popularity in a sport, in an organisation or an institution. Also, there are others who are angry with their bosses or colleagues and they seek revenge. Sometimes they are combining all these reasons”, Narcis Drejan observed. „Many whistleblowers are driven by ideals and they have some values. Let’s name it conscience. Other are pissed off about the system and they want a change”, explains Dan Udrea. This is a constant element identified by the journalist, the willingness of the whistleblower to change something in sport and to do it massively, because talking to the press means to make public the matter. „The optimism of whistleblowers impressed me. There was hope exhibited by those people that things will get better, in a positive way. Of course, everyone has some personal interest when making such a gesture, but most of them are trying to help. Maybe for them, to be tired out or to be suffocated by the irregularities from sports was a reason to speak to the press”, explained Justin Gafiuc. Depending on their motivation, whistleblowers could be altruistic, but they could action for a particular interest, personal or for someone else.

In most of the cases, the journalist offers protection for the whistleblowers respecting the principle “that the identity of the source will not be revealed”. It is the first step of the collaboration. But the whistleblower protection is not so simple. To validate the information, the journalist is forced, in the second phase, often, to reveal their source. Justin Gafiuc documented such a relation in an investigation regarding the doping case in Romanian kayaking. He revealed that in a first phase his sources were anonymous. But after he gathered more information and proof to sustain his arguments, he helped the whistleblowers to go and present their situation in public. „It was the biggest case of doping in the Romanian sport. In a first phase I had just some hints and little information. However, two people from the inside dealings helped me to find out the details and the connections, as a result of their own willing. They were the basis of the investigation and central in my next steps to find out the truth. After I cracked the puzzle, they came with their stories to argument my case. With their help, I have revealed the doping practices from the national team, the complicities between coaches and sports people, but also how the Anti-Doping National Agency managed the case”, says the journalist Justin Gafiuc.

But there are also cases of whistleblowers that do not even realise they are offering important information. They just wanted to point out that something is wrong in their domain. Only after that, they realized the impact of their gesture. For this reason, the journalist is responsible to ensure the whistleblower is prepared and anticipates any possible repercussions, by means of presenting him with the possible reactions, insisting on the utility of his action. Also, another side of the process of offering information is when the journalist feels that the source should be protected and he assumes himself the role of first whistleblower. Also, as observer of the sports phenomenon, he could indicate the irregularities by himself.

One of the questions addressed to the journalists was to make a comparison regarding the whistleblowers’ situation between ten years ago and nowadays. All of them agreed that the whistleblowers’ status has improved

gradually in the last decade. Journalistic principles are on the same page with the philosophy of whistle blowing. It is important to be proactive in building a network of highly relevant and credible sources and for the journalist to be himself an ethical person. In this context, our respondents suggested that it is important to collaborate with other colleagues. They may have valuable personal connections or know other possible whistleblowers.

At the same time, the journalists proved to be whistleblowers with a long-term, constant impact on irregularities. Their activity encouraged people from sports to identify their domain as secure and safe. These elements contributed in an extensive manner to understand the educating dimension of whistleblowing. Through its activity, the Romanian sports journalist pointed out the negative aspect of the domain and his reveals helped build an awareness of good *praxis* after 1989.

The role of education in whistleblowing was studied in few occasions. James Gerard Caillier mentioned that just one serious research on this problem was conducted three decades ago before his study. Caillier concluded that whistleblowing education intensifies whistleblowing in general and the association with retaliation is disconfirmed (Caillier, 2017, pp.4-12). The process of whistleblowing education emerges to improve internal whistleblowing and not external whistleblowing. The journalists' answers suggest that whistleblowing education plays an important role in the development of the whistleblowing process in Romanian sports. The journalists interviewed for this study explained that whistleblowing education could improve transparency in sports. They have observed that whistleblowers have strong knowledge about integrity in sports and respect for rules. „The whistleblowers have a strong personality and that means courage, education and independent spirit. As a matter of fact, education actually offers whistleblowers the arguments to be courageous and responsible when they see irregularities, even if these irregularities are not a direct influence on them”, appreciates Justin Gafiuc. The same opinion is argued by Dan Udrea, who considers that more important than formal education, in schools, is the education with real cases and that journalists could contribute to this aspect. „The whistleblowers are examples for the others and their appearance in the press could be seen as a form of education. It is an appeal to ethics”, thinks the journalist.

Whistleblowing and ethics are related. The purpose of whistleblowing is to reveal the misconduct and irregularities that overrun ethics. As a response, in order to promote some individual principles, moral development and the abidance by regulations are indicated for inclusion in the ethics training. This could be an essential part in whistleblowing education. In the same direction, we can identify a few terms that should be better explained when it comes to whistleblowing. And a proper education could help. This necessity comes from a common situation. The case studies collected in this study unveil a general state of affairs. To hide and avoid possible whistleblowers, the people or organisations that break the law and fair-play rules are claiming the need for loyalty, groups' unity or shame. Confronted with this dilemma, the whistleblower makes a step backwards. In fact, they are getting a degraded dimension of the terms. For a better understanding of whistleblowing and in order to eliminate the fear and the dilemma, it will be useful to collect the terms and to explain them. It is recommended to present the ethics of the terms loyalty, unity, fidelity, faithfulness, fear and other notions in the sports context. Also, media could contribute to the educational process and create a comfort zone for whistleblowers. According to the Organisation for Economic Co-operation and Development study, „media plays a potentially vital role in de-stigmatising whistleblower reporting” (OECD, 2018).

Conclusion

The previous arguments reconfirm the fact that the relation between sports journalists and whistleblowers is essential. The people who choose to disclose and call out on their clubs, federations and organizations, and turn to the media to reveal irregularities may have a various array of motivations. In a domain where fair-play and ethics are constantly promoted, the desire to reveal wrongdoing grows. Whistle blowers are more present in the Romanian sports industry as compared to other domains. Their need to seek justice is one of the most common

motivations. Understanding motivation is key for the growth of the phenomenon of whistleblowing, and in determining the accuracy of disclosed information.

From the previous interviews, it turns out that the journalist is considered more appropriate to use the information received from the whistle blowers than an official channel of reporting. Not only the credibility, but also the the journalist's rapid access to the public is taken into consideration by the whistleblowers. The sources want to avoid a battle solely in their domain (sports) and they consider that the journalists' action to blow the whistle in their name will have a more neutral, balanced and well-adjusted perspective in the eyes of the public.

The fact that the journalists are confronted with different types of whistleblowers makes their mission more difficult, because they have to identify the reason of the reporting action. This aspect connects with the journalist triple posture in the context of whistleblowing: to gather information, to evidence the irregularities and to educate. The interviewed journalists suggested the last aspect as a natural consequence of the first two stances of their activity.

The relationship investigator-whistleblower reveals a fragile and exposed system in Romanian sport and for this reason the integrity of the journalist is essential for a strong relationship, as Narcis Drejans considers: „It is important to convey to our sources that we are serious. In the same time, we aim to help them and their sport. They consider us as a force that could impose the law, but outside the classic law”.

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