



# SOUR GRAPE OR WHISTLEBLOWER?

An exploratory study of the involvement of informants in  
disclosing local integrity affairs through the local media

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# 1. Introduction

It is well known that the integrity of politicians and civil servants is important for the quality of public administration. The fixation on integrity in government has drawn the public's attention to instances where public officials and politicians performed gross misconduct (Anerchiarico & Jacobs 2006). These scandals reveal the kind of behavior we wish to eliminate through the promotion of integrity, and have generated a great amount of media attention.

The disclosure of misconduct in public administration and politics is often considered a noble and brave act by individuals whose intentions and motives are believed to be positive and selfless. For example, in case of Piet Postmus, a pulmonologist who blew the whistle on patient safety in the VUmc in 2012. The purpose of whistleblowing is to disclose misconduct which impacts society, and whistleblowers are expected to follow certain procedures. But not every accusation can be legitimized under the guise of whistleblowing. There are legal constraints to the freedom of speech to protect the rights and reputation of others (Art. 19 IVBPR lid 3). So-called informants are individuals who disclose alleged misconduct. The information they disclose might not always be relevant to the public. However, the consequences of their actions are similar to what happens when someone blows the whistle: people's reputations and careers can easily be ruined.

Below, four (in)famous cases of misconduct in which a whistleblower or informant played a key role are introduced. They serve as examples throughout the study. The extent to which their motives were noble, the consequences were justifiable and the damage to individuals involved was proportional, varies.



## **Ad Bos**

Ad Bos, a former executive of the construction company Koop Tjuchem, disclosed large scale corruption and fraud in the construction sector in 2001. He obtained a hidden bookkeeping that proved price fixing (Havermans & Schuurman 2014).



## **Henk Krol**

Henk Krol proved how poorly patient data was secured at 'Diagnostiek voor U', a medical Clinique in Brabant, when he hacked into their system and accessed and copied several patient files in 2012 (De Jong 2013).



## **Robbie Hasselt**

In cooperation with PowNed, Robbie Hasselt (20) disclosed private correspondence between himself and the mayor of Maastricht, Onno Hoes, in 2014. The publications included screenshots of Hoes' agenda, a picture of his office and a secretly recorded video of their date (Quekel 2014; Juda 2014).



## **Micha Kat**

Kat accused Demmink, the former secretary general of the Department of Justice, of child abuse, the editor in chief of the *NOS* of having ties with a pedophile network, and made death threats against a journalist (Klomp 2017).

Bos is a well-known whistleblower. His claims were investigated and confirmed by a parliamentary investigation committee. The government collected €650 million in fines and started criminal proceedings against 16 prime suspects, amongst whom Bos himself. In twelve cases, the prosecution demanded up to one year sentences, but most of the suspects ended up serving a community service (EenVandaag 2010). In 2013, the court in Amsterdam ruled the case against Bos inadmissible and acknowledged him as a whistleblower ("Definitief einde strafzaak" 2013). Krol disclosed misconduct,

but his rapid inclusion of the media was condemned by the court. Krol was charged with a fine of €750 for computer intrusion (Van den Brink & Jurjens 2015). Hasselt's actions were condemned by various public figures. For example, Pauw called him a measly rat (HP/De Tijd 2014). The court ruled that PowNed and Hasselt shouldn't have broadcasted the recordings because they did not show any misconduct and the images seemed manipulated (Takken 2016). Hoes resigned. He felt that even though it was a private matter and he had not violated any laws, the effects on the local administration were too big (De Graaf 2015). Micha Kat has been called '*de ongekroonde koning van het gekkenhuis*' (Hulspas 2016). He has been convicted for his often-unsubstantiated allegations towards public figures and the media more than once, which includes the accusation that the editor in chief of the *NOS* is a member of a pedophile network (Klomp 2017). The court stated that the false allegations were particularly damaging for him, due to the internet and the personal nature of the allegations (Haenen 2015).

In all four cases the media played a role in disclosing the misconduct. As traditional watchdogs, the media are highly involved in safeguarding the quality of government. They are tasked with informing the public and holding those in office accountable (*Hins 2014, 211*). They are an important addition to the government's formal regulatory regime and should not be underestimated. The media's role in monitoring government is important and effective (Transparency International 2012, 289). In fact, the Dutch system formally relies on the media to expose misconduct (GRECO 2013, 4).

But the watchdog function of the media is under pressure. Cutbacks, time pressure, high competition and shrinking market shares undermine their position (Brinkman et. al. 2009). These developments have hit the local and regional media hard (Nieuwenhuijsen 2011, 5). There is a stronger decline in readership and loss of income compared to the national level. This is a critical development as the local and regional media are important institutions to maintain local transparency (*ibid, 2*). New challenges arise as journalists may be exploited by individuals opening the black box of governance to get even with (political) rivals while pretending to be noble whistleblowers, like Hasselt or Kat. Governments have enacted specific legislation and codes of conduct for aspiring whistleblowers, which should protect the interest of rightful whistleblowers but at the same time protect society and public officials from vigilantes wrongfully posing as whistleblowers.

The precarious position of the local media is alarming because local governments seem to be increasingly receptive to unethical behavior. Due to decentralizations, local governments have gained more tasks and responsibilities, which have led to a potential increase in vulnerabilities and integrity risks (Huberts & Hoekstra 2016, 46). Their frequent and direct contact with citizens makes them vulnerable to corruption. Similarly, local governments are often responsible for decision-making and service delivery in areas renowned for their vulnerability to corruption such as building and construction, licensing and urban planning (Huberts & Six 2012).

The control mechanisms for local governments seem weaker than their national counterparts. Research shows that the position of local auditing bodies is weak (Castenmiller, Van den Berg & Peters 2015, 4). In some municipalities, there is a 'sleeping' court of auditors. In addition, their budget has been cut, sometimes until the point that auditing bodies are unable to do their jobs (*ibid, 5*). One of the council's tasks is being an external auditor. Council members often have a full-time job, next to their membership. With the increasingly complex nature of local politics, the position of council members is becoming more demanding. The question remains whether members of council still have the time, knowledge and experience to be both representatives and external auditors (Schram, Van Twist & Van der Steen 2016, 19).

The quality of government and the influence of informants who disclose alleged misconduct through the media concerns public administration and the media. Both fields address the need to ensure the quality of government and focus on the same issues and the same actors. The subject of this study, dealing with informants of potential governmental misconduct, is an example thereof. Although the debates remain separate, there is an overlap in values that matter in the debate on how one should deal with potential informants. This study aims to integrate these debates and provide a common framework on how to deal with informants in the context of local integrity affairs.

### **1.1 Research questions**

The central research question in this thesis is:

*How can we appraise the role of informants in local news stories on integrity affairs in local governments in The Netherlands from a democratic- and journalistic due process framework?*

The due process framework is the result of an integration of journalistic- and organizational standards on how to deal with informants. It presents a set of values that prescribe the standards that should be upheld when working with informants to ensure the quality of government.

Three additional research questions will be explored. The first question is:

1. How many news stories on local integrity affairs appear in local media based on informants and what is the nature of their coverage?

This question aims to explore the scope and extent of local news stories on local integrity affairs based on informants. To answer the question, I will focus on five aspects:

- 1.1. What type of integrity violation is discussed in the article?
- 1.2. Where do the integrity violations occur (region)?
- 1.3. Who is accused?
- 1.4. Who is the accuser?
- 1.5. What are the consequences of the accusation?

The second research question is:

2. What is the role of the informant in local news coverage on local integrity affairs?

This question addresses the sources that underlie the articles. Specifically, I will explore the type of source used in local news stories and the relationship between journalists and sources.

The third research question is:

3. To what extent does the treatment of informants by journalists meet the standards presented in the due process framework?

This question explores if the journalistic practice lives up to the standards that can reasonably be expected based on codes of conduct for public organizations and journalists.

### **1.2 Relevance**

The GRECO report (2013) indicated that the Dutch system mainly relies on the media to disclose misconduct. Schillemans (2014, 145) explains that formal supervisory bodies, like inspections, operate alongside of informal, social inspectors, like the media. They are crucial, norm confirming institutions, who look for deviant behavior by those in office. Integrity affairs and the (sometimes excessive) media attention are time and again the reason why integrity policies are implemented or



adjusted (Van den Heuvel et. al. 2010, 28). This is reason enough to explore the role and quality of the local media in an integrity context.

In addition, scientific research on the quality of decentral democracy is falling behind (Bovens 2016). Local governments are gaining tasks and responsibilities due to decentralizations (Huberts & Hoekstra 2016), which makes them relevant subjects to study. The annual integrity monitor of *Vrij Nederland* indicated that 75% of the corruption scandals in 2015 occurred at the local- or regional level (De Waal, 2016). According to the monitor, there were 65 public officials in 2015 who caused a scandal through leaking, improper behavior or criminal behavior. In 2014, there were 47 cases.

Furthermore, the relationship between journalists and sources is often considered self-evident, which explains why it receives little attention (Rennen in Bal 2000). The quality of journalistic products depends on the quality of the source. When discussing the quality of news coverage, it is essential to focus on the role of sources because news starts when people know something and have an incentive to share it (ibid).

Finally, an informed and aware public is essential to democratic governments and accountability processes. Both politicians and civil organizations have expressed concerns that the media are increasingly following their own logic (Van der Wurff & Schönbach 2012). German media-ethicist Horst Pöttker states that to allow the media to oversee their own quality is the same as to allow athletes to test themselves on the use of doping (ibid 2011). This means that the media should be accountable for their social responsibility and responsive to their most important stakeholders: the public and society (ibid 2012). Knowledge on how information about undesirable and unethical behavior within local governments reaches the public through the local media creates awareness about the role of the media and can help empower the public in demanding quality journalism and quality government (Van der Wurff & Schönbach 2012; Van der Wurff & Schönbach 2011).

### 1.3 Five reasons for concern

The involvement of informants in the disclosure of integrity affairs through the local media are a reason for concern. Five reasons for concern are presented in figure 1.1.

- 1 Due to decentralizations and the increasingly complex nature of local governments, they seem to become more and more receptive to integrity affairs. This suggests that the number of local integrity affairs could be on the rise.
- 2 Dutch media are essential to the disclosure of misconduct, for which they are dependent on sources. The quality of the news depends on the quality of the source.
- 3 Sources can be unreliable and need to be verified. This is especially important in an integrity context because the consequences of (false) allegations can be tremendous.
- 4 The media crisis has undermined the position of the local media and their resources.
- 5 In their current state, the local media don't seem to be sufficiently able to check their sources.

Text box 1.1: Five reasons for concern

#### **1.4 What's next?**

In chapter 2, the relation between integrity and public administration will be discussed. The central focus is the concept of integrity and its relevance to public administration. The chapter is concluded with a discussion of organizational codes of conduct and the standards that dictate the how organizations should deal with whistleblowers. Chapter 3 focusses on the media. It discusses the Dutch media landscape and the media crisis. The chapter concludes with a discussion of the codes of conduct for journalists, and the predominant standards for the proper treatment of informants. Chapter 4 presents the due process framework. This is an integrated framework based on the codes of conduct discussed in chapter 2 and 3. In chapter 5 the research design and methodology will be discussed. Chapter 6 is a presentation of the results. In chapter 7 the conclusion and discussion will be presented.

## 2. Integrity and public administration

### 2.1 Integrity in local governments in The Netherlands

#### 2.1.1 What is integrity?

The definition of integrity remains disputed. The word integrity originates from the Latin word ‘integritas’, which can be defined as uncorrupted, unimpaired and impeachable (VNG 2014). Integrity is “the quality of acting in accordance with relevant socially accepted moral values, norms, and rules” (Lasthuizen 2008, 8). In public administration, it is more common to define integrity in terms of what it is not. Textbox 2.1 presents empirically validated categories of integrity violations (Lasthuizen et. al 2011, 4; Schokker & Schillemans 2016; Hubert, Kaptein & Lasthuizen 2007).

1. *Corruption (bribing)*  
Misuse of power for private gain.
2. *Corruption (favoritism)*  
Misuse of authority or position to favor family, friends or party.
3. *Fraud and theft of resources*  
Improper private gain acquired from the organization, colleagues or citizens without the involvement of an external actor.
4. *Conflict of interest through gifts*  
Interference of personal interests with public interests because of gifts, services, assets or promises.
5. *Conflict of interest through sideline activities*  
Interference of personal interest with public interest because of jobs or activities practiced outside organization.
6. *Improper use of authority*  
Use of illegal/improper means to achieve organizational goals.
7. *Misuse and manipulation of information*  
The (un)intended abuse of (access to) information, like cheating, violation of secrecy, breaching confidentiality or concealing information.
8. *Indecent treatment of colleagues or citizens and customers*  
Unacceptable treatment including discrimination, intimidation, sexual harassment, bullying, nagging and gossiping.
9. *Waste and abuse of organizational resources*  
Failure to comply with organization standards and/or improper performance or incorrect/dysfunctional internal behavior.
10. *Misconduct in private time*  
Conduct during private time that harms people’s trust in the public organization.

Figure 2.1: ten categories of integrity violations

#### 2.1.2 Integrity in local governments in The Netherlands

Corruption and integrity research is often troubled by the problem of the dark number (De Graaf & Strüwer 2014, 6). This means that there are cases that remain unnoticed or unreported, which makes it hard to fully capture the number of cases there are. Research on the nature and extent of integrity violations in The Netherlands have provided few reliable indications so far (De Graaf & Stüwer 2014). In this paragraph, five studies which address the nature and extent of integrity violations in The Netherlands are discussed.

The first study is conducted by Huberts et. al. (2012 in De Graaf & Stüwer 2014, 8-9). The study focusses on integrity violations that have been investigated based on a report filed by municipal

servants, in 2008-2009. The results showed that indecent treatment of colleagues and or citizens was the most commonly reported violation (37.4%), followed by fraud (17.6%) and waste and abuse of organizational resources or breaking the rules (13.5%).

De Graaf, Lasthuizen and Van de Vijver (2009) conducted research into outsiders' observations of integrity violations in Amsterdam. Their results showed that 22.6% of the reported incidents were related to indecent treatment and 12.7% to waste and malpractice.

The third study is a survey amongst 32 mayors conducted by *Binnenlands Bestuur*. The study found that municipalities can do more to progress their integrity policy (Harthold 2016). Results indicated that all municipalities have a code of conduct which addresses integrity and that 88% of them maintain whistleblower regulations. The most common integrity violations in 2014 – 2015 were conflicts of interest (29.5%), indecent treatment (11.5%) and abuse of power (10%).

De Graaf and Stüwer (2014) assessed the perceptions of integrity violations by civil servants across all levels of government. 27.8% of the respondents said to have suspected misconduct in their work environment, many of them worked in education (42.6%). The most commonly observed misconduct was indecent treatment (26%), followed by abuse of power (24%) and malpractice or waste (20%).

The final estimation of the state of integrity in government is provided by the annual political integrity index of *Vrij Nederland* (De Koning 2017). The data suggests misconduct in private time is the largest category (34.8%), followed by indecent treatment of colleagues and/or citizens (21.7%) and misuse and manipulation of information (17.4%).

Table 2.1 provides an overview of the different integrity violations that have been identified by the studies. The table has been organized according to the most common reported violation. Each study has a different focus and methodology, which makes it complex to compare the results. It shows that it is challenging to determine the extent and nature of integrity affairs in Dutch public administration.

<b>Violation</b>	<b>Vrij Nederland (2017)</b>	<b>Binnenlands Bestuur (2016)</b>	<b>De Graaf &amp; Stüwer (2014)</b>	<b>Huberts et. al. (2012)</b>	<b>De Graaf, Lasthuizen &amp; Van de Vijver (2009)</b>
Indecent treatment	21.7%	11.5%	26.0%	37.4%	22.6%
Conflict of interest	13.0%	29.5%	7.0%*	8.8%	1.2%
Waste and abuse of organizational resources	2.2%		20.0%	13.5%	12.7%
Private time misconduct	34.8%	29.5 %	1.0%	6.9%	4.6%
Improper use of authority		10.0%	24.0%	4.6%	3.8%
Misuse and manipulation of information	17.4%	6.5%	6.0%	6.2%	1.6%
Fraud and theft	4.3%	11.5%	8.0%	17.6%	3.3%
Corruption (bribing)	4.3%		7.0%	5.3%	
Corruption (favoritism)	2.2%		1.0%	6.9%	3.2%
Financial violations		4.5%			
Other		38.0%			

\* Aggregated percentage of conflict of interest through gifts and sideline activities

**Table 2.1: Overview of nature and extent of integrity violations based on five studies**

### 2.1.3 The importance of integrity for local government

In contrast to the definition of integrity, the importance of integrity for public administration is undisputed. Unethical conduct and instances of corruption lead to a loss of trust, credibility and

reliability in public authorities, discontent about the waste of public money, a decline of citizens to comply with government rules and regulations, disillusionment with the political system, and a diminishment in the effectiveness of the public sector (Armstrong 2005, 2-3; van den Heuvel et. al. 2010, 7; Bossaert & Demmke 2005 in Hoekstra & Kaptein 2012).

In the Netherlands, integrity did not attain a position on the (political) agenda until the early 1990s (Huberts & Hoekstra 2016, 10). The increased interest in integrity can be attributed to several factors, like the political pressure to outdo previous administrations, a sense of urgency stimulated by notable incidents of fraud and corruption, and the scrutinizing role of the media and corruption watchdog organizations like Transparency International (Hoekstra & Kaptein 2012).

The need to exercise power and authority with integrity applies to all levels of government. Peters (2014) argues that local government is transcended by local governance, which means that decision making processes and implementation include businesses, civil society and the media. The directness and frequency that characterizes the relationship between local authorities and citizens offers temptations that test the integrity of local politicians and public officials. Local governments are often responsible for decision making and service delivery in areas renowned for their vulnerability to corruption, such as building and construction, licensing and urban planning (Huberts & Six 2012). Huberts and Hoekstra (2016, 46) explain that due to the recent large scale decentralizations of social services, local authorities have faced substantial expansions of their budgets and responsibilities. In addition to the increase in the allocation of resources, local governments face an increasingly complex set of tasks and an increase in discretionary powers. Especially the latter makes it easier for unethical relations to develop (Gurgur and Shah 2005).

#### **2.1.4 A dark side to integrity control?**

Integrity is a crucial virtue for democratic governments, but enforcing it can be counter effective. Weinreb (2003) argues that even though democratic governments have an obligation to practice authenticity towards their citizens, it doesn't mean that they need to be transparent in everything. Absence of transparency, and even deception, can only be justified when it is necessary to serve an end that is, or would be, approved, and if the deception itself would be approved were it made known. To make integrity an actual virtue, the standard must be balanced to prevent it from becoming an unattainable concept.

The media hold a central position in the politics of corruption reform, because corruption sells (Anerchiarico & Jacobs 1996, 11). Episodes of scandal provoke the formulation and implementation of anticorruption innovations. Anerchiarico and Jacobs are skeptical of anticorruption efforts, and state that: "we have the worst of both worlds- too much corruption and too much corruption control" (1996, XV). Anerchiarico (1999) explains that since the 1970s, the panoptic vision has dominated corruption control in many market democracies. This vision assumes that corruption is not primarily attributed to incompetence or partisan influence. Rather, it is attributed to inadequate rules, controls and deterrence. This vision advocates surveillance and investigation, and de-emphasizes accountability, recruitment and training. Anti-corruption measures can have counter effects that have negative implications and can even complicate the organization and operation of public administration, with 'bureaucratic pathologies'. It constrains the discretion of public officials, shapes priorities and causes delays in organizations which undermines efficiency (ibid, 385; Anerchiarico and Jacobs 1996, XV). The irony is that the more corruption controls are introduced, the more pathologies and red tape are created (ibid).

In the Netherlands, the focus on integrity has led to a growing tendency to condemn the behavior of public officials as lacking integrity. Huberts and Hoekstra (2016) describe that sometimes doubts are cast on the integrity of public officials in decision making processes, when in fact it is the quality of the decision that should be called into question. At the same time, integrity has been increasingly used as a political tool to harm opponents. The media oversimplify cases and the appearance of a conflict of interest has become just as interesting as an actual conflict of interest. The result is a culture of fear that could lead to administrative paralysis and the reluctance to act in cases of actual misconduct.

There is not one way in which misconduct can be disclosed. Whistleblowing is probably the most well-known form of disclosure. However, there are other ways that surpass formal rules and regulation. The different forms of disclosure are the topic of the following paragraphs.

## 2.2 Disclosing misconduct

### 2.2.1 What is whistleblowing?

To blow the whistle means to make information about imminent fiascos, mismanagement, and transgressions of the law public, whose aim is to draw attention to the abuse of which they learned through their work (Bovens 1998, 190-192). Jubb (1999) defines whistleblowing as:

“(…) a deliberate non-obligatory act of disclosure, which gets onto (1) the public record and is made by (2) a person who has or had privileged access to (3) data or information of (4) an organization, about (5) non-trivial illegality or other wrongdoings whether actual, suspected or anticipated, which implicates and is under the control of that organisation, to an (6) external entity having potential to rectify the wrongdoing” (Jubb 1999, 78).

Whistleblowing is an action of dissent by making a disclosure that accuses and challenges a higher authority, since whistleblowers usually do not have authority over those who they report on (Jubb 1999, 79-80). Often whistleblowers find themselves in a position of conflicting loyalties. On the one hand, they are loyal to their supervisors and colleagues, who are often implicated in the accusations. On the other hand, they feel loyal to another group, for example, society or the formal aim of the organization (ibid, 191). The price for breaking social or hierarchical control can be high, and retaliation comes in many forms. Illustration 2.1 describes the retaliation Bos experienced. Other examples of retaliation include lowered performance appraisal, denial of promotion (Rocha & Kleiner 2005), job loss, demotion, decreased working conditions, character assassinations, accusations of being a sour grape (Mesmer-Magnus & Viswesvaran 2005), disciplinary measures, fines, and being subjected to criminal prosecutions (Bovens 1998, 193).



#### **Illustration 2.1: Shooting the messenger**

After Ad Bos reported the misconduct, the company called him a traitor, and transferred him to Saint-Maarten. Shortly after, he lost his job. Within the construction community he had become a persona non-grata. He lost his car, his credit cards were blocked and he did not receive his salary for months. He could no longer afford to pay rent and ended up living in a RV. On top of that, the government tried to prosecute him for bribery (Havermans & Schuurman 2014).

Every whistleblower who observes misconduct faces two ethical decisions: whether to blow the whistle or not, and to whom (Dworkin & Baucus 1998). Their instinct is to ask themselves: what is going to happen if I speak out? Will it help solve the problem? What if they retaliate? They face a dilemma between doing what is right and suffering the consequences, or being quiet and pretending the problem doesn't exist (Rocha & Kleiner 2005).

Once someone decided to blow the whistle they can do so internally or externally. This is important because it can influence how the organization responds, the type of retaliation they will suffer (if any), and the impact it will have (Callahan & Dworkin 1994; Miceli & Near 1992). Internal whistleblowing means taking your claim to a person within the organization, like a supervisor or an ombudsman. External whistleblowing involves reporting to a government agency, the media, or any other designated recipient (Callahan, Dworkin & Lewis 2003, 890).

Bovens and Pikker (2010, 40-41) found that most Dutch civil servants think that misconduct should be reported internally. 67.5% of the respondents said they would first approach their manager or a confidential advisor. 51.3% of the respondents thought that they would do something to resolve the misconduct.

The reasons why people would choose to blow the whistle have almost exclusively been researched through quantitative methodology. In one of the few qualitative studies, De Graaf (2008) shows that reasons to blow the whistle include, but are not limited to, the observed wrongdoing conflicts with their personal values, people have observed a violation of the law, the wrongdoing could potentially harm the organization's image or environment, and out of fear for being punished for not reporting the wrongdoing. Vermaas, Serail, and Klomps (2001) corroborate these findings and shows that the most important reason for an employee to report wrongdoings is because the misconduct is in moral conflict with their values and because it is a violation of the law. Reasons not to report misconduct include fear of retaliation, the expectation that it wouldn't change anything, not wanting to harm colleagues or the organization, the potential consequences for the wrongdoer, being involved, being bound by confidentiality, and not knowing how and where to report it (de Graaf 2008; Vermaas, Serail & Klomps 2001). In illustration 2.2 Henk Krol's motives for blowing the whistle are presented.



#### **Illustration 2.2: A noble motive?**

When Krol was asked why he hacked into the patient files of *'Diagnostiek voor U'*, he said he wanted to prove the organization did not secure their patient data properly. He also wanted to show how easily someone could gain access to the files. He accessed seven patient files and copied five of them (De Jong 2013). Shortly after he had approached the organization to inform them of his discovery, he disclosed his findings publically.

This wasn't the first time that Krol had made headlines regarding integrity. The former journalist and member of parliament messed with subsidies before. In addition, as managing director of the *Gay Krant*, he neglected to pay for his staff's pension (Trouw 2014). And it was the *Gay Krant* that initially published the accusations of Joris Demmink being a pedophile (Van de Kamp 2014).

Van Es and Smit (2003) found that internal whistleblowing is more effective than external whistleblowing: only one out of ten external whistleblowing cases get resolved, sometimes only partly, and the personal interest of the whistleblower are more likely to be affected. Whistleblowers tend to report externally when the context to report internally seems unfavorable, for instance when an organization does not tolerate dissent (Dworkin & Baucus 1998). Reasons to report externally are the feeling not being taken seriously and not knowing who to report to in the organization (Vermaas et. al. 2001, 39). The media have proven to be a major motivator for external whistleblowing (Rocha & Kleiner 2005). Their support has encouraged whistleblowers and given the public a sense of moral values and ethics.

Whistleblowers who report externally must develop a relationship with the media, which can lead to stressful expectations and disappointments (Van Es & Smit 2003). The relation between the journalist

and the whistleblower is one of dependence and conflicting interests. It is in the interest of the whistleblower to end misconduct through publicity, while limiting media attention to protect their privacy. It is in the media's interest to publish interesting news through a story that has great impact. This means that the story provided by the whistleblower needs to follow media logic. The combination between a fitted story and shocking content will likely result in a powerful explosion of publicity which is the result of the dynamic interaction between media and society (ibid).

### 2.2.2 Who else discloses misconduct?

Jubb (1999, 77) warns that there is a risk that whistleblowing will be used interchangeably with, and not recognized as a special case of, informing. This could potentially juxtapose the whistleblower with, what he calls, a corrupt individual who turned informer. What distinguishes whistleblowers from other informers is that whistleblowers are considered a part of the control mechanism within administrative structures or legislation. Illustration 2.3 discusses Hasselt's case. He did expose, what some would call, inappropriate behavior in private time, but did it really affect Hoes' functioning?



#### **Illustration 2.3: whistleblower or corrupt informer?**

Hasselt contacted PowNed after Hoes had approached him via Twitter and wanted to meet with him. Hasselt was determined to show that Hoes had broken his promise that he would behave worthy of his office. He then built a file, including pictures, that proved Hoes' inappropriate behavior. Hasselt stated that he had no regrets of his actions, but he would have done things differently if he had to do it again (Telegraaf 2015; Telegraaf 2014). Hoes resigned because his actions did harm the municipality's reputation, but many people, including the council, felt Hasselt had set him up (NOS 2014).

Informants can either be approached by the media when a journalist has a suspicion or they can approach the media themselves. Caution is needed when determining if someone is a whistleblower. Micha Kat is an interesting case. He does not consider himself to be a whistleblower. He calls himself a committed journalist who fights for his beliefs (Rebergen 2011). Illustration 2.4 is based on an interview with Kat in the *Nieuwe Revu*, where he discusses his interpretation of the Demmink case. There is a lot of smoke around this case, but the smoking gun has yet to be found.



#### **Illustration 2.4: nothing is what it seems. Or is it?**

For a long time Kat accused Demmink of being the leader of a pedophile network. Remarkably, Demmink hasn't sued Kat for defamation. According to Kat, this is because he knows he will lose the case. In fact, he claims Demmink confessed to having sex with under aged boys, since Demmink stated he is not a 100% sure it never happened because he never asks his sex partners about their age. According to Kat, this proves that Demmink has sex with little boys, no matter their age (Rebergen 2011). The prosecution concluded, after 2,5 years of investigating the case, that there is no incriminating evidence towards Demmink and moved to dismiss the case (Haenen 2017).

Whereas whistleblowing is often considered selfless and a noble act, there are many reasons why people leak. Leaking can be defined as "the anonymous dissemination of confidential information by public officials to the press" (De Jong & De Vries 2007, 215). Note the difference in level of detail between the definitions of whistleblowing and leaking. There are two types of leaking: spontaneous and intentional leaking. Spontaneous leaking means that people don't leak on purpose and is often the result of gawkiness of the source and the journalist's ability to make combinations (Beenackers & Grapendaal 1995). Intentional leaking can serve many purposes. Table 2.2 provides an overview of



the types and rationales for intentional leaking, as described by Beenackers & Grapendaal 1995, based on Bovens et. al. 1993.

<b>Interest / motivation</b>	<b>Strategy</b>	<b>Goal</b>
<b>Personal</b>		To serve material interests like money, or immaterial interests like egos.
<b>Institutional</b>		To serve the department; as a part of the political game.
<i>Mobilization</i>		<i>To influence other decision makers or the public to generate support or resistance against a certain polity or topic.</i>
	Trial balloon	To disclose a proposal to determine its pro's and con's. Often authorized.
	Positive disclosure	To disclose information to generate support.
	Negative disclosure	To disclose information to generate resistance.
	Direct attention	<i>To disclose confidential information to surpass hierarchy and formal procedures to get direct the attention from high public officials and politicians.</i>
<i>Antagonism</i>		<i>To push an opponent into a corner.</i>
	Discredit	To release negative information about an opponent to discredit them and thus to strengthen one's own position.
	Obstruct	To release concealed information to obstruct, reverse, delay or sabotage decision-making processes.
	Dead-lock	To release positive information to ensure that revising a decision becomes impossible.
<i>Conditioning</i>		<i>To influence journalists and solidify the relationship.</i>
	Cooperation	To leak internal documents in exchange for a reporter's cooperation to write about the organization.

**Table 2.2: types and rationales for intentional leaking, based on Beenackers & Grapendaal 1995.**

De Jong and De Vries (2007, 223-224) wondered how to evaluate Dutch experiences with leaking and what can be learned from them. Their survey showed that leaking is an institutionalized phenomenon that occurs in all major policy areas. Leaking often occurs within relatively stable networks: people tend to leak to journalists they are familiar with, who are active at the same level and who are willing to write an article based on their information. According to their results, journalists on average receive information from leakers once or twice a month. Overall, journalists regard leakers as people who leak to serve the public good, which means there are hardly any moral objections to publishing the otherwise classified information.

### **2.2.3 A shadow to whistleblowing?**

There are many theories that justify whistleblowing. But if whistleblowers are serving the public, why is there a need for theories of justification? Davis explains that "what makes whistle-blowing morally problematic, if anything does, is this high-minded but unexcused misuse of one's position in a generally law-abiding, morally decent organization, an organization that prima facie deserves the whistleblower's loyalty." (Davis 1996, 148). Whistleblowers are revealing information they were entrusted with. There is no other excuse for revealing what the organization does not want revealed, then the claim that the whistleblower is doing what they should be doing (ibid). For instance, revealing information under oath to avoid perjury is not whistleblowing. De Graaf (2013) states that

organizations in the Netherlands usually aren't malicious, which means that whistleblowers do not have to decide between doing what's right and what is wrong. Instead, they have to decide between loyalties. The irony is that properly functioning public organizations rely on employees who are loyal and cooperate. What makes it even more complex is that whistleblowers usually aren't the white knights they are made out to be – see the cases. They do not just happen upon key documents in a cover-up of misconduct. They are often deeply involved in the activity they reveal (Davis 1996, 152). Illustration 2.4 shows that even in Bos' case there was doubt about the role he had played.



#### **Illustration 2.4: Whistleblower or briber?**

In 2005, a few years after Bos disclosed the hidden bookkeeping, the prosecution announced that he would be prosecuted for bribery. When he was the technical CEO of Koop Tjuchem, he had traveled with a civil servant to Switzerland, Scotland and Ireland. The prosecution deemed these trips a form of bribery. He also spoiled the civil servant with visits to Yab Yum. The court found him guilty, but he received no punishment because he had blown the whistle (Trouw 2008; Redactie De Volkskrant 2013). However, in 2013, after Bos appealed, the final verdict by the court deemed case inadmissible and he was free from prosecution (Havermans & Schuurman 2014).

It can also be argued that there is a tension between whistleblower protection and employer protection. The tradeoff is between the right to freedom of speech, the right to information, and protection of whistleblowers on one side, and confidentiality requirements and obligations on the other side (De Graaf 2013). Grapperhuis (2001, 21) states that based on article 7:611BW, it is mandatory for employees to be 'good' employees. This means that employees who take the confidentiality on company information lightly, can be considered careless, which is a violation of the principle. Determining which right prevails can be challenging, and is a task for the courts. Illustration 2.5 shows how the court weighed the different interests in Krol's case, which shows that not everything is justified under the guise of whistleblowing.



#### **Illustration 2.5: Whistleblower or hacker?**

Krol received help from a fellow party member, who cribbed his psychiatrist's four-digit password when he entered it into the system in his presence (Vroegindewei 2013). After obtaining the username and the password, Krol and his accomplice 'hacked' the system and gained access to thousands of patient files (De Jong 2013). The Court judged Krol based on three factors: did he serve a public interest? Were the actions proportional? And, were there other, less intrusive, ways to illustrate the misconduct? (Van den Brink & Jurjens 2015, 13). The court ruled that he had indeed served a social interest by illustrating the poor security of confidential, medical patient data. The fact that he had accessed the system was thus justified. However, he did so on numerous occasions, one time while a camera crew of *Omroep Brabant* was present. Because of the sensitive nature of the data, he should have limited his actions to what was strictly necessary. This means he did not meet the proportionality requirement. Similarly, when the organization asked him to file a written report of his discovery and refused to let him speak to the management directly, he immediately approached the media. This means that he didn't choose the least intrusive way to illustrate the misconduct. The court also stated that no immediate action was required because it wasn't so much a technical failure of the system as one employee who had been careless with his password (Wilt 2014).

### **2.3 Codes of conduct for public organizations**

The guiding principles for reporting misconduct are captured in codes of conduct. These codes contain the rules and regulations on how misconduct should be reported. They prescribe what the

reporting procedures are and how organizations handle the claims. They are viable sources of information of what is considered a proper treatment of informants is and what rules informants are expected to adhere to.

Rules and regulations on how to report misconduct have two goals. First, to promote internal reporting and to detect misconduct. Second, to protect people who report claims of suspected misconduct (BZK 2008, 22). Organizations with more than 50 employees are legally required to have a regulation on how to report misconduct. They have to determine what employees can report on and when, to whom they can report and how, what their rights are, and how the organization will handle their claim (Brochure HvK 2016, 5).

Internal reporting procedures only apply to employees. *Huis voor Klokkeluiders* states that anyone who has observed misconduct through their job should have the opportunity to use the reporting procedure. This means that current employees, former employees, and anyone else who has worked with the organization, like interns, volunteers or freelancers, should be able to use the procedure (Brochure HvK 2016, 10). Suspected misconduct can be reported to an advisor, a confidential councilor, or the advisory department of the *Huis voor Klokkeluiders*.

### **2.3.1 Due diligence**

There are two principles of due diligence that are essential to determine whether someone has reported misconduct properly (Brochure HvK 2016, 12). The first is procedural due diligence. This means that the first step is to report misconduct internally, if necessary, to the highest level of management. The only justification for violating this principle is when it is unreasonable to expect this from the employee, or if it conflicts with a public interest. If the internal report does not lead to action, the employee can report their claim externally in an appropriate and proportional manner (Winkler 2009). Procedural due diligence ensures that organizations get the opportunity to address the claim themselves. The second principle concerns material due diligence (Brochure HvK 2016, 12). The employee must have reasonable grounds to suspect that their allegations are correct and that by reporting them they are serving a public interest. The interest served by disclosing externally must prevail the interest of the organization to keep it secret (Winkler 2009).

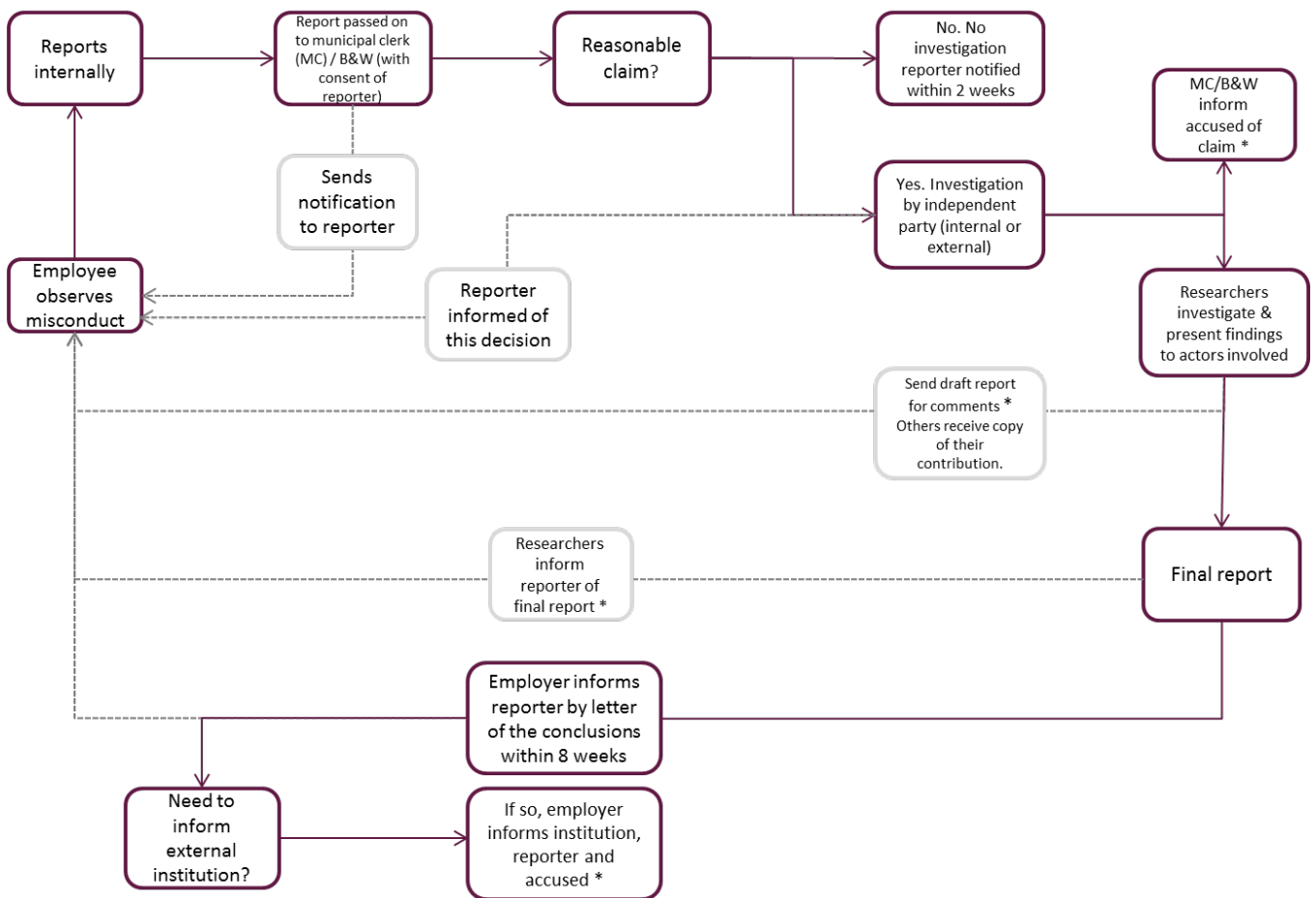
### **2.3.2 The code of conduct by the Association of the Dutch Municipalities**

Municipalities can develop their own reporting policy, but the majority, approximately 80%, uses the code by the Association of the Dutch Municipalities (VNG 2015). Figure 3.1 illustrates the standard internal reporting procedure according to this code. Throughout the process, the organization and the employee will remain in consultation on what the next steps are and who will be informed, unless this could harm the investigation.

The code of conduct by the Association of Dutch municipalities (2016) defines suspected misconduct as a situation in which an employee who works for that organization (or any other organization as part of their job) has reasonable grounds to suspect that there is misconduct, based on knowledge they have gained through their work, and that there is a social interest at stake in terms of a (potential) violation of the law and/or (potential) danger to public health, the safety of persons, the environment, or the functioning of the organization.

It is justified to report misconduct externally, to a thereto designated institution, when:

- An acute danger with an urgent social interest makes direct external reporting necessary.
- There is a suspicion that the employer is involved in the misconduct.



**Figure 3.1 Internal reporting procedure**

\* unless this could harm the investigation

- It can be expected that the employee will face countermeasures if they report internally.
- There is a clearly identifiable threat of suppression or destruction of evidence.
- It is a follow up on an internal report of a case which has not been resolved. This can either be when the employee does not agree with the solution presented by their employer or when their employer did not handle the case in due time.
- There is an obligation to report the incident externally.

The law prescribes that people who report misconduct duly and in good faith have a right to protection. This means that they should not experience any form of retribution. The legal protection only applies to those who follow the procedure, i.e. reporting their claim internally or through the *Huis voor Klokkeluiders* (Bovens 2013, 13). Those who report directly to any other external institution tasked with investigation public sector misconduct, like the public prosecutor's office or the Dutch Competition Authority, are not entitled to legal protection (ibid).

The exemplary code of conduct by the Association for Dutch Municipalities captures the responsibilities public organizations have towards employees who report misconduct. Table 3.1 presents an overview hereof (VNG, 2015). The responsibilities can roughly be divided into three categories: retaliation, protection of the source, and protection of others.

Category	Actor	Action	Responsibility
Retaliation	<i>Employer</i>	To correct employees who retaliate against the employee and, if necessary, impose disciplinary measures.	Protect
	<i>Advisor</i>	To discuss the retaliation the employee might experience and how this can be minimized.	Inform
	<i>Clerk</i>	To take the required measures when needed.	Protect
Protection of the source	<i>Employer</i>	To ensure that information is stored so that only the people involved have access to it.	Protect
	<i>Everyone involved</i>	No one will disclose the identity of the employee without the employee's explicit written consent. If the employee wishes to remain anonymous, all correspondence should go through their advisor.	Protect
Protection of others	<i>Employer</i>	To make sure that no one involved will experience any disadvantages due to their contribution.	Protect
	<i>Municipal Clerk</i>	Anyone who experiences negative consequences due to their contribution can request the clerk to consider it.	Protect

**Table 3.1: overview of obligations of public organizations towards employees who report misconduct**

The code shows that if an employee follows the rules, the organization has certain responsibilities towards them. These can be summarized in a responsibility to inform and the responsibility to protect. The responsibility to inform can be interpreted in two ways. First, it is the organization's duty to inform the employee who reports the misconduct what they can expect and to provide them with tools and assistance to deal with challenging situations that might arise. Second, unless it harms the investigation, organizations will inform the accused of the claim that has been filed against them. The responsibility prescribes that the organization will protect anyone involved in the investigation of the claim.

## 2.4 Conclusion

The importance of integrity in government remains undisputed. It is essential to the credibility and effectiveness of government, as well as citizens trust in government and their willingness to comply with governmental regulations. At the same time, the quest for integrity can pose a threat to the quality government, as an influx of anti-corruption measures can lead to an increase in bureaucratic pathologies.

Previous studies have shown that it is challenging to provide a reliable indication of the nature and extent of integrity violations in Dutch government due to the dark number. Dutch civil servants consider blowing the whistle internally the proper way to report misconduct, rather than blowing the whistle externally. Another form of disclosing misconduct is through leaking. There are many reasons why people leak: varying from serving the organization to serving the self. Jubb (1999) warns that there is a risk that whistleblowing will be used interchangeably with informing, which could juxtapose the whistleblower's position. However, whistleblowers aren't always the white knights they are made out to be: they are often deeply involved in the activity they blow the whistle on.

Codes of conduct for organizations aim to promote internal reporting and protect those who disclose misconduct. There are two principles of due diligence that determine what proper reporting is, and what steps potential reporters of misconduct must follow. The principle of procedural due diligence states that an employee should first report their claim internally, and only allows for deviation if it is

an unreasonable expectation. The principle of material due diligence states that the employee should have reasonable grounds to suspect that their allegations are correct and serve a public interest. If the employee who witnessed misconduct follows procedure, they are entitled to legal protection. This means that the organization has certain responsibilities towards them.

These responsibilities can be summarized in the responsibility to inform and protect. The responsibility to inform is twofold. On the one hand the organization will inform and prepare the employee with regards to the retaliation they might experience. On the other hand, the organization will inform the accused of the claims that were filed against them, unless this could harm the investigation. The responsibility to protect includes making sure that the employee who reported misconduct will face no consequences of their action. The organization bears a similar responsibility to people otherwise involved in the case, for example, people who partake in the investigation.

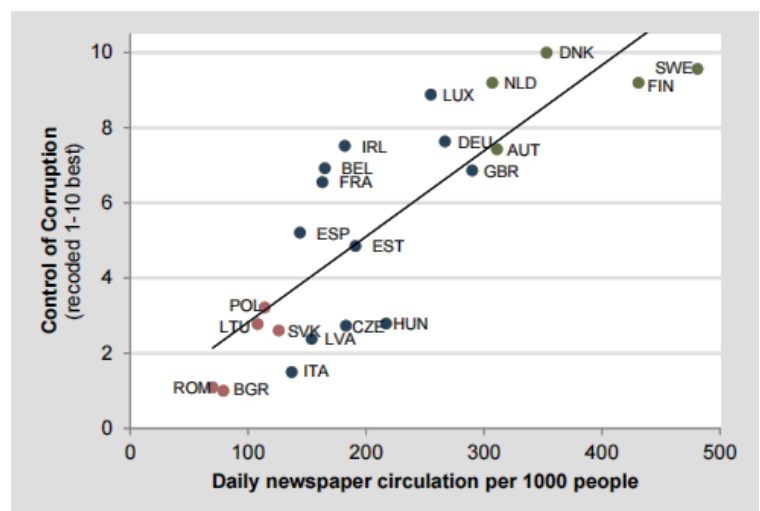
### 3. Integrity and the media

#### 3.1 Journalists as watchdogs

##### 3.1.1 The purpose of watchdogging

The idea that the media are the watchdog of government dates to the late 17<sup>th</sup> century, when the need for an institution which primarily exists to check on those in public office emerged to prevent powerful states from overstepping their boundaries (Coronel 2010, 1). Today, the media are still the eyes and ears of the people, because governments cannot be held accountable if the public is poorly informed of the actions of officials and institutions (Hins 2014, 211; Coronel 2010, 2). The media, particularly investigative journalism, help uncover those who abuse their entrusted power (website Transparency International). The media can hold people in office to account when they make mistakes or in cases of gross professional misconduct. If the media are weak, democracy suffers (Bolkenstein 2001). The media can warn and empower citizens by providing them with information about those that are doing them harm (Coronel 2010, 3).

The effects of well-informed, critical citizens on corruption should not be underestimated. Mungui-Pippidi (2013) examined which factors can control corruption and its main determinants. The results show that free media and the presence of well-informed citizens (through newspapers or high internet use) explain a considerable part of control of corruption. Figure 3.1 (Mungui-Pippidi 2013, 39) shows the relation between newspaper readership and corruption. Daily newspapers have been defined as those published at least four times a week. The figure illustrates just how important public scrutiny and society's capacity to monitor its own government is to be able to control corruption. It also stresses the importance of a strong and independent media sector, which can critically inform citizens of what is going on in (local) governments.



Data source: World Bank database

Figure 3.1: newspaper readership and control of corruption

##### 3.1.2 A media crisis?

The watchdog role of the media in The Netherlands is under pressure. Cutbacks, falling numbers of newspaper subscriptions and a concentration of ownership contribute to its derogation (Slingerland 2016, 175). The temporary commission *Innovatie en Toekomst Pers*, also known as the commission Brinkman, concluded there is a crisis in the Dutch media sector (Brinkman et. al. 2009). The decreasing income from advertisement has had a huge impact on the print-sector. In addition, the sector had to deal with challenges from strategic business decisions which resulted in budget cuts and layoffs. At the same time readership numbers have been declining due to the many free and easily accessible alternatives, like the internet. The decline in readership and income puts pressure on journalistic values (ibid).

Regional and local news outlets have faced more challenges from these developments than their national outlets (Nieuwenhuijsen 2012, 5-7). Regional news markets are limited, the decline in readership is stronger and there are simply less media that can serve as democratic watchdogs because

fewer journalists are covering local affairs (ibid; Kerkhoven & Bakker 2014). Newspapers are amongst the most important local and regional media and they cover up to dozens of municipalities. In many local and regional media, the coverage of council meetings and other political processes has declined due to understaffing. A dense network is lacking because the media are expected to cover the entire region, which puts them in a fragile and uncertain position.

Over the past five years, national newspapers have experienced a decline in readership of 14%, from 5 to 4,5 million. Regional newspapers have experienced a decline of 23%, from 4,6 to 3,6 million (Stimuleringsfonds voor de Journalistiek 2015). The total of regional paid print-media in 2015 consisted of 1.1 million newspapers (Bakker 2016). In 2000, this was just below 1.9 million. This means that the regional print-media have experienced an alarming decline of over 40% over the past 15 years. Figure 3.2 shows the decline in regional paid print media per newspaper and per year (Stimuleringsfonds voor de Journalistiek 2015).

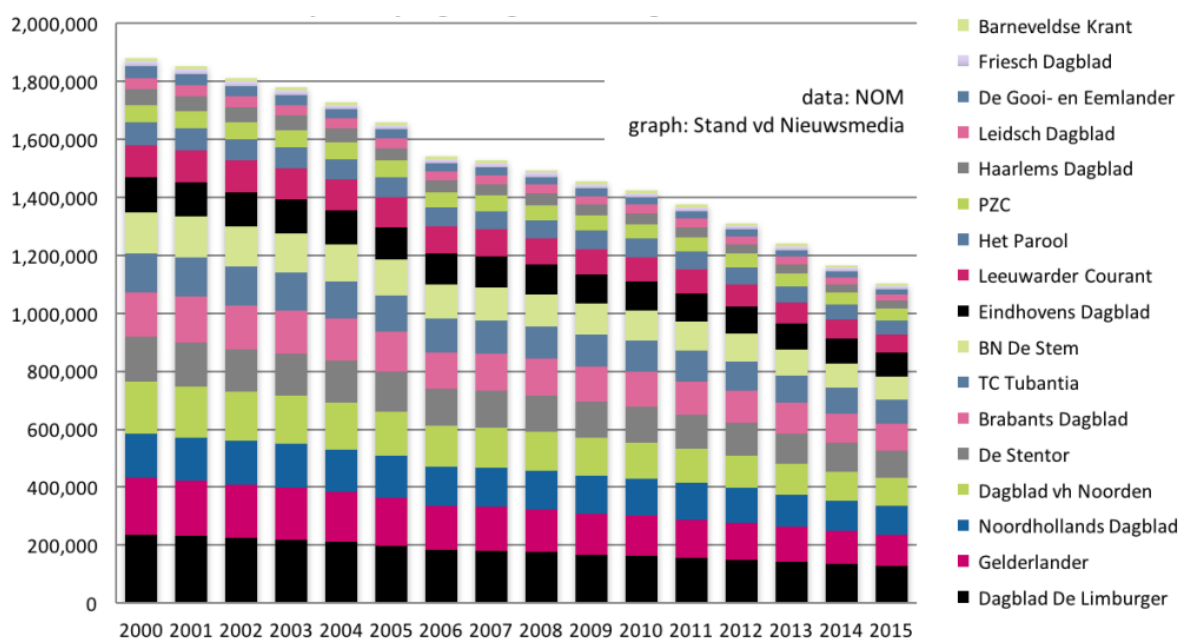


Figure 3.2: regional paid print media per year and per newspaper

Despite these developments, in 2014, a remarkable 53% of the population still reads a newspaper daily (ibid). Schokker and Schillemans (2016) showed that local media are still a relevant factor in local integrity issues.

### 3.1.3 Journalists and informants

The interaction between journalists and sources is a delicately negotiated relationship. Both parties hope to achieve their goals while maintaining their social and organizational status (Berkowitz 2009, 103). Strömbäck and Nord (2006) explain that journalists are gatekeepers who control the tone of a news story and the extent to which a source receives attention. Sources control the information and have the power to grant legitimacy to a story.

Gans (1980, 116) states that the relationship between sources and journalists resembles a dance. Although it takes two to tango, there is only one who can lead. He argues that often sources lead, because for the media, staff and time are in short supply. With the pressure of news deadlines and the importance of obtaining newsworthy information, journalism has developed a dependency on official sources (Strömbäck & Nord 2006, 1-2). Although they can be critical of what they tell them, official



sources often have the first say (Gans 2003, 46). Schoemaker and Reese (1996, 171-173) explain that people with economic and/or political power are more likely to influence news reports than others because they have access to resources that help influence the news. This means that a large portion of news originates from sources who understand reporters' needs and provide easily assembled news (Berkowitz 2009, 104). The dynamic between reporters and sources is one where they feed into each other and create a cumulative pattern where a certain type of source is brought in contact with journalists repeatedly (Gans 1980, 144). Others argue that the fact that official sources and elites dominate the news does not necessarily mean that it is the source who leads the tango. Although sources instigate the news and draw attention to events or issues, the journalist is still in control of the story (Strömbäck & Nord 2006).

### **3.2 The moral debate on informants and reporting**

The discussion on reporting based on informants is complex because the dilemma between transparency and confidentiality is so hard. Journalism has a set of principles which form a cooperative framework that provides a notion of what the public can reasonably expect (De Jong & De Vries 2007). According to a group of Dutch journalistic experts<sup>1</sup>, there are two types of values: deontological values and teleological values. Following Immanuel Kant, deontological values are universal values. These values should always be maintained, no matter the context. Teleological values, following John Stuart Mills, are values that ensure the greatest good for the greatest number of people. They focus on what is best for the community, rather than the individual (Van der Wurff & Schönbach 2011, 9; Van der Wurff & Schönbach 2010). This dichotomy balances values based on absolute obligations, and pragmatic values that focus on shared benefits.

#### **3.2.1 Deontological values**

Deontological values are universal values. These values include, but are not limited to, a transparent work process, transparency about the use of sources, journalists being honest about their identity, the verification of facts, and exploring all sides of a story (Van der Wurff & Schönbach 2011, 12).

##### ***Transparency***

The importance of transparency is rooted in the idea that journalism has a distinct public purpose (Craft & Heim 2009, 217). The public relies on journalists for information, which means that journalists have an obligation to perform in a way that bolsters public trust in the information (ibid, 218). Due to the increased pressure on traditional media to explain and justify their actions, transparency has become an embraced method to achieve this. It promotes indispensable journalistic traits: it allows the public to witness and evaluate journalism, which encourages trust and credibility. It limits deception and misinformation, and although it might not be sufficient to eliminate them, absence of transparency is a prerequisite for deception (ibid, 223). Philips (2014) states that journalists should, whenever possible, identify their sources as specifically as possible in any publication, possibly even mentioning if they have an axe of their own to grind, because it ensures that readers understand and allows them to assess the reliability, veracity and knowledge of the source.

But journalistic processes require some coyness to allow journalists to understand realities which are characterized by debate, argumentation and conflict. The relation between transparency and trust

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<sup>1</sup> The group of 60 journalistic experts was included in a Delphi study by Van der Wurff and Schönbach (2010). 35 of experts have a background in on- and offline journalism and hold positions varying from editor in chief to freelancer. 12 experts work specifically with or for online media. 16 experts work in science or consultancy. They either teach about or advise on journalism and online reporting. 9 experts represent the most common news sources, like press officers, or legal and policy actors, like lawyers and public servants.

relies on specific bits of information and specific undertaking that can be traced, from sources whose veracity and reliability can be checked to a certain extent (Craft & Heim 2009, 225). The question is whether an increased transparency of less checkable information, like motives, methods and processes, will add to trust.

### *Disclosure of the journalist's identity*

Most news organizations agree that journalists should identify themselves as being journalists. It is inappropriate to mislead or deceive interviewees (website journalist ethics). Evers (2015) explains that journalists are expected to be open about who they are, but acknowledges that in some cases, specifically when a publication addresses serious misconduct and there is no other way to obtain the information, undercover journalism is acceptable. Steele (2002) composed a checklist of criteria, all of which must be met, which prescribes when it is morally justified to use deception:

1. The information is of profound importance and of vital public interest.
2. All other alternatives for obtaining the same information have been exhausted.
3. The journalists are willing to disclose the deception and what motivated them.
4. The individuals and the news organization apply excellence through craftsmanship and the commitment of time.
5. Harm prevented by the information obtained through deception outweighs any harm it causes.
6. The journalists involved have conducted a collaborative and deliberative decision making process on the ethical and legal issues.

### *Verification*

According to the European Court of Human Rights, the most important tasks of journalists is to check their facts thoroughly (Hins 2014). This becomes increasingly important when a news story potentially violates someone's privacy or could harm their reputation. The more serious the expected consequences of the publication, the more thorough a journalist needs to check the facts. This increases the necessity for a journalist to do their own research as opposed to just accept the sources' claims. Similarly, it is important to attribute the information to its source as much as possible, to ensure transparency (Knowlton & Reader 2009, 57).

The journalistic rule of thumb is one source is no source (Buijs 2011). Diekerhof (2009) explored how, and to what extent, journalists check their sources. Most journalist say they know when they need to check their sources, that is, when interests are involved. Journalist explain that everything that comes from an (anonymous) source needs to be confirmed with other sources. A strategy to work around 'impure' motives is to double check everything. But double checking alone is not enough: you need confirmation from at least two people who don't know each other.

### *Exploring all sides of a story*

An equally important principle to verification is the idea of exploring all sides of a story. Evers (2015, 76) argues that journalists need to conduct proper research and consult multiple sources. Frits Bolkenstein (2001), a former member of parliament, stresses the journalistic need to explore all sides of a story, especially when it concerns accusations towards individuals or organizations. It is up to the journalist to provide the accused with the opportunity to respond, preferably in the same publication and without unreasonable time pressure (website NVJ).

### **3.2.2 Teleological values**

Teleological values require a careful consideration of which value is more socially desirable and thus should prevail in a specific situation. Contrary to deontological values, the decision which value prevails is based on a normative judgment of the potential consequences (Van der Wurff &

Schönbach 2010). Teleological journalistic values include the protection of privacy, the separation of facts and opinions and sensitivity to consequences (Van der Wurff & Schönbach 2011, 13).

### *Privacy versus the public's right to know*

Finding the balance between the privacy of a source or subject and the public's right to know can be challenging, because free flow of information is essential to democracy (ibid, 52). Often a distinction is made between those in office and citizens.

Evers (2015, 78) argues that it is a journalist's duty to protect the privacy of the people he or she is writing about, especially if they are vulnerable, like victims or survivors. Better yet, it is commonly understood that journalists have an obligation to protect their sources, and that good reporters will not even reveal their sources before a court of law (Devine & Maassarani 2011). The journalist must balance his duty to inform the public and his moral duty to protect the privacy of the people involved. It is a careful consideration between the right to freedom of speech and the right to protection of privacy. Which one prevails depends on the circumstances. Philips (2014) highlights that the disclosure of sources is a tricky area for journalists. The importance cannot be understated, after all, sources are a reporter's meat and drink.

Evers (2015) states that the right to privacy is the more important value. But, when it concerns a public figure, things change. People who hold a public position are expected to be exposed to a certain level of unwanted publicity, regarding their public functioning. Their right to privacy in their personal domain can only be violated when their private time behavior influences their professional credibility, for example when they are guilty of tax fraud or driving under influence (ibid).

### *Sensitivity*

The usefulness of investigative journalism derives from the consequences of the articles (Reyes 2013). An element of the journalistic professional responsibility is called justifiable consequence. Justifiable consequence means that harm done by any publication must be justifiable (Ward 2005, 11).

Levine (2010, 5) describes that potential risks for subjects who participate in media stories include feeling deceived and having their autonomy and privacy violated. Many codes of conduct acknowledge that sensitivity to harmful consequences is particularly important when working with children or inexperienced subjects or sources (for example, the code of ethics by the society of professional journalists). They often address the need for journalists to recognize that citizens have a greater right to control information about themselves than people with a public function. This means that (legal) access to information differs from an ethical justification to publish it (ibid).

Reports on corrupt officials and incompetent professionals can harm a person or a party (Ward 2005). In most cases, the harm is outweighed by the benefits, which means that not writing the article would be of greater harm to society. The way a story is constructed is important in determining whether it causes justifiable harm or not. Unjustifiable harm is caused when journalists publish false reports or reports that are distorted by exaggeration and innuendo. Ward (2005, 11) presents three ways in which consequences can be justified:

1. The consequences are insignificant, neutral or permissible.
2. The consequences are beneficial to society.
3. The consequences are harmful, but necessary, given journalism's social function.

There are a few guidelines that help determine how to treat sources, subjects and others to minimize harm. There is not one interpretation of what harm is (Plaisance & Deppa 2009, 359). Some

journalists center harm around their sources or their general readership. Other discuss the concept in terms of fairness in news coverage and being up front with sources.

### **3.2.3 Challenges and considerations**

The values, especially the teleological values, can be challenging to uphold. Anonymity and motives are two common elements that challenge the incorporation of these standards. This paragraph discusses how.

#### ***Anonymity***

Anonymity is a complex virtue. Anonymity and confidentiality can protect whistleblowers from retaliation, and as such it is essential to them. It also allows people to come forward who otherwise wouldn't have come forward (Elliston 1982). Some authors even claim that without anonymity no one will speak up (Sips 2010).

But anonymity does not come without risks. People might start spreading false claims for their own gain which can result in a '*klikcultuur*' (ibid). Spending precious time on claims made by people who are merely complaining about each other anonymously is a waste of (organizational) resources (Elliston 1982). Another reason why disclosing information anonymously is often condemned is because it impedes the pursuit of the truth. Informants who wish to remain anonymous are challenging for institutions and journalists alike, because it makes it difficult to verify claims and it eliminates the opportunity to clarify ambiguous information (Elliston 1982; Dehn & Calland 2004). Furthermore, every individual who is accused of something has the right to defend themselves (Elliston 1982). Philips (2014) has highlighted that disclosure of sources is tricky for reporters. More complex is the source who wishes to remain anonymous, because often they are a cuckoo in the nest, whose job and livelihood may be at risk if they are identifiable.

In The Netherlands, whistleblowers often don't consider blowing the whistle anonymously an option (De Graaf 2007, 28). In most cases, a small group of people has access to the information and thus people are likely to find out who the whistleblower is. When this happens, the whistleblower's anonymity can be considered a sign of bad faith, shame and/or dishonesty, and it can be used to undermined their claims and motive to act in the public interest (Dehn & Calland 2004).

#### ***Motives***

Motives are of utmost importance in judging a whistleblower's character. But, in appraising their claims, motives are logically irrelevant: "whether or not what someone says is true does not depend on his personal motive for saying it" (Elliston 1982, 174). Stories on whistleblowers should therefore not focus on the whistleblower as a person and their motives for disclosing information, but on the facts and the course of events (Vaughin et. al. 2003).

Although Elliston's (1982) claim is essentially true, the motive of an informant can be important to the quality of a journalistic product. Leaking and anonymity are inherently connected, because "every leaker is an anonymous or unnamed source, but not every anonymous source is a leaker" (Son 2002, 158). The discussion in paragraph 2.2.2. has shown there are many reasons to leak, amongst which to discredit a person to strengthen their own position. According to Son (2002), this kind of leak is a tool for immoral political players, who exploit reporters and simply use them as conveyors of disinformation. He argues that reporters who are eager to only receive scoops, and who are not concerned with the character of the information are putting their independence at risk. Sensitivity towards motives is important relative to the independence of journalists and the quality of their work.

### 3.3 Codes of conduct for journalists

Journalistic codes of conduct capture the professional norms and values of daily journalistic practices which determine and improve the quality of journalism (Van Der Wurff & Schönback 2011). They also inform the public what they can reasonably expect. In The Netherlands, there are two national journalistic codes; the code for Journalism by the Society of Editors and the Guidelines by the Press Council (ibid). In addition, the Dutch Association of Journalists discusses ethics based on the Code of Bordeaux. These codes have been combined to a due process framework of journalism. Table 3.2 presents the overview of these principles. Journalistic codes of conduct clearly articulate what is unethical journalistic behavior that should be avoided. Serious journalistic offences include plagiarism, slander, defamation, insults, inaccurate accusations, paying sources and accepting bribes.

Value	Deviation acceptable?	Obligation
<b>Transparency</b>		
		To report truthful and transparent.
		To correct any inaccuracies as soon as possible and appropriately.
		To clearly distinguish between facts, allegations and opinion.
		To inform interviewees of the purpose of the publication so they can make an informed decision whether they want to participate or not.
	✓	To inform the interviewee that they intend to use the recorded material.
		A hidden camera and microphone are allowed when disclosing misconduct.
		To use quotes in a way that can be reasonably expected by interviewees.
<b>Disclosure of identity</b>		
	✓	To introduce themselves as journalists.
	✓	Not to provoke incidents to illustrate misconduct.
<b>Verification &amp; attribution</b>		
		To verify facts, if possible, transparently.
		Accusations can only be published if they have been confirmed. This matters particularly when the accusations are brought by people in conflict with the accused or when people hold an interest.
		To mention sources in the publication.
<b>Exploring all sides of a story</b>		
		To explore all sides of a story.
		To provide the accused with the opportunity to respond to the accusations, preferably in the same publication and without unreasonable time pressure.
<b>Privacy vs. the public's right to know</b>		
	✓	Not to harass, tail, or follow people.
	✓	Not to publish anything private, including documents, without consent.
		Not to violate people's privacy other than necessary for the publication. A breach of privacy is careless when it's disproportional to the social interest.
		Public figures can expect to be exposed to (unwanted) publicity. In their private sphere, they are entitled to privacy, unless their private behavior influences their public functioning.
		Not to leave out information. However, when reporting on serious offences, it can be necessary to leave out details if they inflict more pain on people and if they are not crucial to cover the nature and severity of the offense.
<b>Sensitivity</b>		
		Weigh the interest of the publication against the potential harm it can cause.
<b>Sources</b>		
		To report on their own observations and sources they know or deem

	reliable.
	To protect the (identity of) sources.
	To proof it's plausible that anonymous sources are credible, and that the information could not have been obtained any other way.
	Not to accept (im)material compensation.
✓	Not to steal, or pay for, stolen information, or use unlawfully acquired information obtained by third parties.

**Table 3.2: Overview of principles**

- ✓ Deviation from this norm can be justified when it is evidently a matter of misconduct AND deviation is needed to raise the issue OR when the publication is of great importance to society.

The codes show that journalists must balance different interests: the public, the source and the accused. This suggests that writing about integrity violations at a local level based on information provided by an informant is a challenging task. The codes include principles that can be violated in certain situations, and the requirements that justify deviation depends on the code. The Press Council (2015) permits deviation when a story evidently addresses a matter of misconduct *and* deviation is needed to raise the issue. The Society of Editors permits deviation when the publication is of great importance to society.

Similar to organizations, the responsibility to inform and protect can be found throughout the journalistic codes of conduct. The responsibility to inform is broad. Journalists are expected to inform the public of what is going on in government. Journalists are also expected to inform the accused of the accusations, explore their side of the story, and provide them with a platform to respond to the accusations. Verification is stressed by the codes, and prevents the publication of false allegations. The responsibility to protect is quite extensive. Journalists have a duty to protect the identity of their sources. However, there is somewhat of a tension between the duty to protect the identity, and the requirement to attribute information to its source. This suggests that the protection of source is not a given, and requires a solid justification. In addition, journalists are expected to be sensitive to how their publication might affect other people. The responsibility to protect is more inclusive of other actors according to journalistic codes of conduct than organizational codes of conduct.

There is a constant tradeoff between the public's right to know and the protection of anyone involved. The principle of the justification of harm is important. Harm should not necessarily be avoided, but it should be justifiable. The codes also state that journalists need to be able to proof that the sources they use are reliable and credible. It is up to the reporter to make sure that the information is verified, all sides are explored, and that everyone's interests are protected.

### 3.4 Conclusion

The media are the watchdog of the government, which has made them indispensable in safeguarding the quality of public administration. Their task of informing the public has proven to be important and effective in fighting corruption. But the position of the Dutch local and regional media is under pressure due to cutbacks and the decline in subscriptions. Despite these challenges The Netherlands is still considered a newspaper based society, with newspapers being read in half of the households.

News items are the result of a collaboration between journalists and their sources, where each of them controls key resources. Journalists determine how the story is framed, while sources provide information and grant legitimacy to the story. Journalists show a dependency on formal sources, which could be explained by the challenges posed by the cutbacks. This means that for a large part, news depends on sources that know how to present a story to journalists, which are often those who have some political or economic power.

Anonymity and motives can be challenging. Anonymity encourages informants to speak up who otherwise wouldn't have done so, while it complicates verification and increases the risk of people blaming each other for no good reason. Similarly, an informant's motives matter. It is true that motives are logically irrelevant because it does not matter why someone presents their claim, as long as the information is true. However, motives are an indicator for the independency of the journalists. Son (2002) argued that being ignorant to motives can result in journalists being used as conveyors of disinformation.

Proper journalistic practice is determined by values which are captured in codes of conduct. Dutch journalistic experts distinguish between deontological values and teleological values. The codes of conduct show that journalists have a responsibility to inform and protect, similar to organizational codes of conduct. The responsibility to inform can be interpreted in several ways. One, they are required to inform the people they speak to of their identity. Two, they are expected to inform someone who is accused of the accusations, and to provide them a platform to respond to these accusations. Three, where possible, they inform their readers of the sources and methods used in their publication, which is in line with the need for transparency. The responsibility to protect, contrary to organizations, extends beyond the informant. Journalists are expected to protect their source. In addition, they are also expected to weigh the public interest against the right to privacy, and thus protect individuals interest, which might be the accused or an individual otherwise involved.

However, the codes also show contradictions. On the one hand journalists are expected to protect the identity of their source, while on the other hand they must attribute information as much as possible to the source. In cases where local integrity affairs are disclosed by informants, these values seem incompatible.

## 4. The due process framework

Codes of conduct translate values into rules and responsibilities which can be put into practice. The goal of this study is to provide a balanced framework that shows what can be reasonably expected from journalists who work with informants. The framework is an integration of organizational and journalistic codes of conduct – see chapters 2.3 and 3.3. This chapter integrates previous chapters and develops an integrated due process framework. This framework is presented in table 3.3. The table consists of three categories. The first column indicates what is being discussed. This can be either the number of the value, the source (or informant) or the subject (or the accused). The second column presents the value and why it is relevant to sources and subjects. The final category shows in which code the principle finds its origin.

Based on the organizational codes of conduct, the journalistic codes of conduct and the literature review it seems that there are nine principles that are relevant to the treatment of informants. The first principle is verification. It finds its origin predominantly in the journalistic code of conduct and ensures that the claims presented by informants are thoroughly checked. To verify information means that at least two independent sources need to confirm/deny a claim. This way subjects of accusations are protected from false claims and the chance that the public will be informed of misinformation is small. The second principle is to explore all sides of a story. Its origin can be found in organizational and journalistic codes. Organizations are tasked to investigate claims presented to them. Journalists are expected to provide those who are implied in the accusations to have a platform where they can defend themselves. By exploring all sides to a story, both these obligations are maintained. The third principle is to balance the importance of a publication against its potential impact. According to journalistic codes of conduct, reporters should publish socially relevant articles, even if they cause harm. However, harm should be justifiable. This principle embodies the tradeoff between the relevance of an article and the harm it can inflict. The fourth principle is to respect privacy. Everyone, even a public figure, has the right to privacy. In case of reporting on misconduct, this is something that must always be taken into consideration. The fifth principle is to be aware of the role of motives. Following Sol's (2002) argument, the degree to which a reporter is aware of motives is indicative of their independence. Similarly, whistleblowers are expected to report alleged misconduct in good faith and falsely accusing individuals or organizations can lead to legal punishment – for example in Micha Kat's case. Although the sixth principle finds its origin in both types of codes, the organizational code of conduct explicitly states that a whistleblower's identity should be protected if they wish so, and can only be disclosed with their explicit consent. This way, the source is in control. The seventh principle applies to anonymous sources in particular, but it is also relevant for sources of whom the identity is known. Whenever it is impossible to attribute information to its source, the journalists must make sure that the information presented is credible and plausible so that the public is able to make their own judgement about the information presented. The eighth principle, attribution, ensures that information is attributed to its source which is important because it stimulates journalists to be as transparent as is possible in their use of sources. The final principle, omission, is a way to protect the people who are mentioned in an article. It means that if there is information that is not trivial to the story, but can inflict disproportional harm to people, it should be omitted.

The principles presented in the framework show what can be reasonably expected from journalists. It ensures that the people involved are reasonably protected from, for example, false claims or unjustifiable consequences. Because the media fulfill such an important position as watchdogs, it is important that the quality of their product meets these standards. The framework is a lens which enables us to assess the role of informants in the disclosure of local misconduct.



	<b>Principle and relevance</b>	<b>Origin</b>
<b>1.</b>	<b>Verification</b>	Journalistic code
<b>Source</b>	To make sure the information is true.	
<b>Subject</b>	To protect the subject from being falsely and inaccurately accused.	
<b>2.</b>	<b>To explore all sides of a story</b>	Journalistic- & organizational code
<b>Source</b>	To provide a platform where individuals can share their observations of alleged misconduct.	
<b>Subject</b>	To provide a platform where the accused can respond to allegations and defend themselves.	
<b>3.</b>	<b>Balance the importance of a publication against its potential impact</b>	Journalistic code
<b>Source</b>	To ensure that the publication serves a public interest / prevent it from being used in a political feud.	
<b>Subject</b>	To protect them from unnecessary harm and/or false allegations.	
<b>4.</b>	<b>Respect privacy</b>	Journalistic code
<b>Source</b>	To prevent any form of retaliation.	
<b>Subject</b>	To prevent unnecessary, disproportionate harm. To ensure it concerns accusations relevant to their public functioning.	
<b>5.</b>	<b>Awareness of the role of motives</b>	Journalistic- & organizational code
<b>Source</b>	To publish the story as objectively as possible.	
<b>Subject</b>	To protect them from unfair and unjust allegations	
<b>6.</b>	<b>Do not disclose the source's identity without their explicit consent</b>	Organizational code
<b>Source</b>	The protection/anonymity stimulates people to share information, but it makes the awareness of motives more important.	
<b>Subject</b>	Forces them to solely address the allegations in their rebuttal without knowing where they come from, thus preventing the media being used in a political game.	
<b>7.</b>	<b>Proof sources are credible and reliable. When working with anonymous sources, that information could not have been obtained any other way</b>	Journalistic code
<b>Source</b>	To justify why a journalist used information from an anonymous source and to make sure the information is true, to prove credibility and protect from retaliation.	
<b>Subject</b>	To protect the subject from false allegations	
<b>8.</b>	<b>Mention sources in publication (attribution)</b>	Journalistic code
<b>Source</b>	To enhance transparency of the origin of information	
<b>Subject</b>	To be open and honest in where information comes from and inform subjects where the allegation comes from.	
<b>9.</b>	<b>Omit details which are not trivial to the story, but could inflict disproportional harm to the people involved</b>	Journalistic code
<b>Source</b>	To ensure objectivity and relevance to the public interest	
<b>Subject</b>	To prevent from unjustifiable harm to occur	

**Table 3.3: due process framework for reporting on local integrity affairs based on informants.**

## 5. Methodology

### 5.1 Research design

The central research question in this thesis is, ‘how can we appraise the role of informants in local news stories on integrity affairs in local governments in the Netherlands from a democratic- and journalistic due process framework’. The question was answered through an exploratory mixed methods research design.

#### 5.1.1. Exploratory research

The aim of exploratory research is not to add to the factual knowledge of the cases discussed. Exploratory research allows us to measure and use experience, insight, and skill which helps to propose new and innovative ways to understand and interpret reality (Breitner 2013, 8). An explorative design fits the research question well for two reasons. First, integrity violations in local government in The Netherlands haven’t been researched extensively. The research that has addressed it has yet to deliver reliable results. Second, the research question requires a normative framework. But, the literature doesn’t offer a ready to go framework. The literature review resulted in a potential framework, which was empirically assessed.

#### 5.1.2 Mixed methods research

Mixed methods research has gained popularity in the social sciences because it uses the strengths of both qualitative and quantitative research (Creswell 2009, 203). It combines elements of the two research approaches for the purpose of breadth and depth of understanding and corroboration (Johnson, Onwuegbuzie & Turner 2007, 123).

The rationale for choosing a mixed methods design is twofold. First, little is known about the nature and extent of local integrity affairs disclosed by the local media through informants in The Netherlands. This means that there is little research to compare, let alone corroborate, the results of this study with. A mixed methods design allows the results from one research strategy to be cross-checked against the results from another research strategy. This is more commonly known as triangulation (Bryman 2008, 611). Triangulation of methods provides better quality data than data derived from a single method approach (Symonds and Gorard 2008, 4). Second, the design facilitates the simultaneous interpretation of numbers and personal experiences (Creswell 2013). Bryman (2008, 622) refers to this as the diversity of views, which means that when two kinds of data are collected the qualitative data allows access to perspectives of the people, the journalists, and the quantitative data allows a specific issue to be explored, the disclosure of local integrity affairs through local media. This provides both context and illustration, where the qualitative data provides the context for understanding the broad-brush quantitative data (ibid, 620-621).

A sequential explanatory strategy has been applied, which means that the research consists of two phases, see figure 5.1 (Creswell 2009, 211). The first phase consists of a quantitative content analysis of local newspaper articles on integrity affairs in local government. The second phase consists of semi-structured interviews and a survey. It follows the concurrent triangulation strategy, in which quantitative and qualitative data are collected simultaneously (Creswell 2009, 213). This method is used to offset the weaknesses inherent within one methods with the strengths of the other. The interviews complement the survey because where quantitative research limits

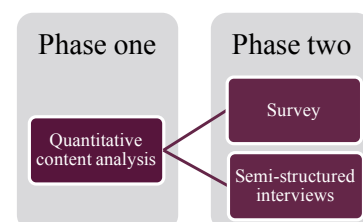


Figure 5.1: research phases

answers to preset categories, qualitative research is sensitive to people's experiences and allows them to talk about the topic in their own words (Boeije 2010, 32). The interviews provide nuance and context to the often-simplified answers of a survey. The survey gives a better impression of the opinions of respondents due to the larger sample size. Creswell (2009, 213-214) argues it is an advantageous model because it is familiar to most researchers and it has the potential to result in well-validated findings. Potential pitfalls include the difficulty to compare results due to the use of various methods, and the challenge to resolve discrepancies in the data.

## **5.2 Quantitative content analysis**

A content analysis is a systematic and objective method that describes and quantifies phenomena and aims to provide a broad description (Elo & Kyngäs 2008, 108). This study applied an inductive quantitative content analysis because former knowledge is fragmented and insufficient (ibid, 109). A benefit of the quantitative content analysis is the transparency of the research method. Due to the coding scheme and sampling procedures, replications and follow up studies are feasible (Bryman 2008, 288). In addition, it allows for information to be generated about groups which might be difficult to access (ibid, 289). Gaining access to the sources of the articles is not always feasible because not all articles contain a full disclosure of their sources, and it is unlikely that journalists would disclose their sources easily. Disadvantages include that the analysis is only as good as the documents, and the coding manual always includes a level of interpretation (ibid, 291). In this study, the data obtained through the quantitative content analysis serves a descriptive role (Rouke & Anderson 2004, 6).

Most of the coding has been conducted deductively, i.e. the data is coded according to preexisting categories (Elo & Kyngäs 2008, 111). In some cases, the data has first been coded according to the literal wording in the text, and was later recoded to fit preexisting categories, for example, in case of the type of violation. The definition of integrity violations is based on the validated categories mentioned in chapter 2.1.1. The type of source has been coded to fit Soloski's (1989) news channels as mentioned in chapter 3.1.3.

### **5.2.1 Sampling**

The sample in the quantitative content analysis consists of local integrity affairs which have been reported on by local or regional newspapers based on an informant. Regional newspapers have been included because they often have reporters on staff who cover a specific municipality (respondent 1). The study focuses only on newspapers because the Dutch news sector is still largely based on newspapers, with them being read in over half of the households (Bakker & Vasterman 2009).

In exploratory research the choice for cases is not random. Case selection is predicated by the logic of analyzing the richest, most telling cases to unveil the thickest, most telling connection between variables (Reiter 2013, 8). To this purpose, the general sampling strategy used was sequential mixed methods sampling (Teddlie & Yu 2007, 90-91). This means that the final sample used in the quantitative content analysis, is used as the sampling frame for the subsequent strands (ibid).

For the quantitative content analysis, a purposive sampling technique has been applied. It is a strategic sampling technique in which the sample is defined based on practical considerations (Riff, Lacy and Fico 2014, 100-102). The units are selected based on specific purposes associated with answering the research question (Teddlie & Yu 2007, 77). This facilitates the focus on publications about local integrity affairs by local media that involve a leak, informant or source. It is a nonprobability sampling strategy (Riff, Lacy and Fico 2014, 100-102). Purposive sampling facilitates the deliberate selection of respondents or units, based on the information they can provide, which cannot be

obtained as well from other units (ibid). This is the main rationale for choosing a purposive sampling strategy all throughout the study. The sample has been selected through LexisNexis Academic<sup>2</sup>. The units of analysis are the integrity affaires covered in the articles. One of the limitations of a purposive sampling strategy is that the results can hardly be generalized, because there is no reason to assume that the sample is representative or random. Another limitation is that statistical inferences cannot be used, since a fundamental principle of statistical inferences is randomness in the sampling technique (Rajamanickam 2001, 83). Despite the limitations, the value of the research should not be underestimated (Riff, Lacy and Fico 2014, 102). In time, when more research addresses the topic, both sampling and measurement error will be more easily identifiable and can eventually be diminished.

Every other year, between 2001 and 2015, is included in the sample. None of them were election years. Vliegthart, Boomgaarden and Boumans (2011, 105-106) found that during election periods there is a stronger primacy for personalization of the news. The coverage of cooperation and conflict increases during election times, although not for every election. To limit the potential influence from this bias, no election years have been included.

Throughout the study, I refer to articles and cases. Often, more than one article is dedicated to a case. The reason to include both articles and cases is that in the survey journalists are instructed to consider multiple article about the same case as one, when asked how often they write about local integrity affairs. When the cases are being discussed, the most recent article covering the case is included. Reasons for exclusion of articles were that the article was a profile sketch of an administrator, it did not cover a municipal case, it aggregated several integrity cases, they were written by politicians or letters by civilians, or the articles were similar to (almost) the exact same words as another. For a detailed explanation see the coding manual (Appendix A). Table 5.2 shows the number of articles included in the sample per year.

<b>Year</b>	<b>Number of articles</b>	<b>Final count included</b>
2015	97	<b>50</b>
2013	115	<b>66</b>
2011	85	<b>46</b>
2009	118	<b>63</b>
2007	57	<b>20</b>
2005	49	<b>23</b>
2003	49	<b>21</b>
2001	20	<b>12</b>
<b>Total</b>	<b>590</b>	<b>301</b>

**Table 5.2: number of articles**

### 5.2.2 Analysis

The data has been analyzed using Excel and SPSS. Two data files have been created in SPSS. The first file includes all the cases, and the second file includes all the articles.

### 5.3 Survey

The purpose of the survey is to see to what extent the results found in the quantitative content analysis resemble the experiences of journalists. It has been distributed amongst journalists via email, which contained an invitation and a direct link to the survey in Google forms. A copy of the survey has been included in Appendix B. The invitation explained the purpose of the study and the instructions of the survey contained short definitions of key concepts.

The survey aimed to map respondents' attitudes and considerations towards writing about local integrity affairs based on informants. It consists of open and closed questions. In one instance a Likert

<sup>2</sup> The search term used is: ((loka! w/s (overheid! or bestuur!)) or (gemeente!)) and (integri! or integer) and (lek! or tip! or bron! or informa!) and (schend! or opspra! or kwestie! or schanda! or overtred! or affai! or onbehoorlijk bestuur! or crisis!))

scale was used. Although a seven point Likert is preferable, this study incorporated a 5-point Likert scale for two reasons. First, the aim of the survey is not to collect data that can be used for extensive statistical testing. Therefore, the statistical variance that is lost by using a 5 instead of a 7-point Likert scale is not relevant. Second, a 7-point scale lead to a confusing visual representation of the answering categories, which could confuse or discourage respondents.

The survey has been tested through a respondent debriefing to reveal potential problems (Couper et. al 2004). Four people were asked to fill out the survey online. They were informed of the purpose of the inquiry and asked to pay attention to wording, questions, instructions and terminology (ibid; Martin 2006). In addition, they provided feedback about their user experience of the lay out and the mode of delivery, which both can lead to an error (Couper et. al. 2004). Two respondents were female, and all of them (had) studied a different discipline: private law, new media, political science, and international relations and organizations.

### **5.3.1 Sampling**

The sampling strategy for the second phase is sequential mixed methods sampling, which means that the sample frame has been determined by the sample in the quantitative content analysis (Teddlie & Yu 2007, 90-91). The sampling frame consists of all articles included in the quantitative content analysis. This frame ensures that the respondents have experience with writing about local integrity affairs based on an informant. Respondents were sampled through a convenience sample. Only the authors of articles published in 2015 and 2013 were approached to participate in the survey to prevent non-response based on people no longer working for a paper, having retired or any other reason they might no longer be active in journalism.

The invitation invited respondents to contact me in case they had any questions or remarks. In seven cases I received a reply after sending the first or second invitation. Some people wanted to share their experiences, whereas other asked question to clarify my definition of integrity affairs. Most emails were sent to inform me that they had already filled out the survey. Due to the convenience sample, it is impossible to generalize the findings because it is uncertain whether the sample is representative (Bryman 2008, 183). In this study, a convenience sample is fairly acceptable because the sampling frame provided by the quantitative content analysis provides too good an opportunity not to use it. Although the data will by no means allow for generalizations to the entire population of journalists who write about integrity affairs, it has the potential to be a springboard for future research.

In total 60 journalists were approached to fill out the survey, of which 27 did. The response rate is 45%. Only one respondent is female, and one respondent failed to fill out his or her gender. All but one of the respondents indicated to be currently working for a regional or local newspaper. One third of the respondents works for a regional or local newspaper that has a reach of >120.000 paid editions<sup>3</sup> in 2015-2016, 29.6% for a paid edition that has a reach of <100.000, 14.8% works for paper with a reach of <80.000, 7.4% for a newspaper with a reach <50.000 and 11.1% for a newspaper with a reach <25.000 (ibid). One respondent indicated to have stopped working for a regional or local newspaper in 2014 (3.7%).

### **5.3.2 Analysis**

The data has been analyzed using Google forms, Excel and SPSS. Google forms organizes the data in graphs and Excel worksheets, which can easily be transferred to SPSS.

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<sup>3</sup> The categorization of newspapers according to their readership is based on Bakker (2017).

## 5.4 Semi-structured interviews

The goal of the interviews was to discuss the due process framework and see to what extent it exemplifies journalists' experiences. The data provides the context for the interpretation of both the quantitative content analysis and the survey. An advantage of qualitative research is that it has a maximum explorative power, which results in rich and detailed data and focused descriptions of the phenomenon (Boeije 2010, 32-33). This is a welcome contribution in this study as it provides relevant nuances to the quantitative data which leads to an in-depth understanding.

Journalists' were invited to an interview either by an email or phone call. The invitation explained the purpose of the study, as well as the reason for selecting them for interview. Interviewees were invited based on an article that they had written in 2015, which came up during the quantitative content analysis. In total 9 interviews were conducted with 11 respondents, of which two were female. Two were test-interviews that had been conducted prior to the development of the framework to see whether journalists would be willing and capable of sharing the information required to answer the research questions. Two of the interviews were duo interviews. On one occasion a second journalist was introduced without me having prior knowledge of it, and on another occasion a journalist suggested inviting a colleague to the interview as they had worked on the case together. All interviews were conducted face-to-face, on a location of the respondent's choice, except one. One person requested a telephone interview due to time constraints. Interview duration varied between 17 and 110 minutes, with an average of 48 minutes. The interviews were structured according to a topic list (see Appendix C). All interviews started with a brief discussion of the article, after which we proceeded with a general discussion on the construction of stories based on informants.

### 5.4.1 Sampling

The sampling frame for the interviews is derived from the quantitative content analysis. For the semi-structured interviews, a purposive sampling strategy has been applied. Criteria for selection were that they had to have published an article on a local integrity affair in a local newspaper in 2015, and that they explicitly mentioned some type of source. To ensure dispersion, a representation of different types of local or regional media was taken into consideration. To ensure diversity of the types of sources covered, the source mentioned in the article was taken into consideration.

### 5.4.2 Analysis

All interviews were recorded using the voice recorder pro app, after which they were transcribed. All transcribed documents are included in this study in an Appendix with restricted access, as well as a list of respondents (see appendix z<sup>4</sup>). The data has been coded according to a coding process that starts with open coding, and the moves on to axial coding and selective coding (Boeije 2010, chapter 6). The process had been inspired by the quantitative content analysis and the interview protocol.

Quotes used in the thesis have been edited to facilitate reading (Boeije 2010, 202). The questions are left out and the text has been merged, while preserving the meaning and original phrasing. Fillers like *zeg maar* and *uhm*, have been deleted from the quotes.

## 5.5 Methodological reflection

This chapter discusses the methodological implications of the research design for the reliability, validity and generalizability of the results.

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<sup>4</sup> To protect the identity of the respondents, this Appendix is only available to the supervisors.

### 5.5.1 Reliability

#### *Quantitative content analysis*

Weaknesses associated with quantitative content analysis are connected to sampling processes and coding. Especially document availability and sampling can introduce bias (Rose, Spinks & Canhoto 2015, 7). The development of a coding scheme and the coding process always involve interpretation and thus risk biases. Similarly, the abstraction of content from its context can result in loss of meaning. Content analysis also risks overlooking what is omitted, although this could be as significant as what is mentioned (ibid).

Riffe, Lacy and Fico (2014, 123) explain that in content analysis, reliability is defined as an agreement among different coders about the categorization. A human bias is a threat to the reliability, which may influence category definitions in unknown and uncontrollable ways. The consequence is that it is hard to replicate results. Reliability in content analysis can be discussed in the following terms of stability, or intra-coder reliability, and reproducibility, or inter-coder reliability (Krippendorff 2004, 215).

Stability is the degree to which a process remains unchanged over time, that is, can the same coder get the same results every time. A test-retest can determine whether the coding remained stable (ibid). Reproducibility is the degree to which the process can be replicated by other analysts, under different circumstances. That is, the extent to which the coding scheme leads to the same text being coded in the same category by different people. The level of internal reliability can be measured using a test-test design (Krippendorff 2004, 215). In this study, only one coder coded the data. This means that the level of reproducibility cannot be tested. However, the data has been revisited on several occasions, either to recode or to restructure the data. To a certain extent, this ensures stability. However, it does not eliminate what Krippendorff (2004, 215) refers to as intraobserver disagreements, which are variations that result from for example, insecurities, carelessness, distractions or the tendency to relax performance standards when tired. No test-test design has been applied, which makes it impossible to calculate Cohen's Kappa. This is a weakness to the reliability of the method in this study. However, given the exploratory nature of the study and the level of triangulation built into the design, Riffe, Lacy and Fico's argument (2014, 100) can be revisited to emphasize the value of the study. In time, when the topic receives more attention and more studies will be conducted, the flaws in the coding scheme will become identifiable, so they can be diminished.

#### *Survey*

Reliability in survey research concerns the statistical measure of how reproducible the survey instrument's data are (Fink & Litwin 1995, 6). Broadly speaking, there are two types of errors: a random error and a measurement error. The random error is the unpredictable error that occurs in all research (Fink & Litwin 1995, 5). One of the main influencers of the random error is the sampling technique. Although the convenience sampling strategy serves the purpose of the study, it poses threats to its reliability since it is vulnerable to selection bias and sampling errors, which deteriorate its credibility (Saunders, Lewis & Thornhill 2012).

The adequacy of the sample size should be determined in relation to the goal of the study (Adams et al. 2007, 92). With a larger the chance of random errors decreases (Saunders, Lewis & Thornhill 2012,5). Some suggest a rule of thumb is to have no sample under 50. However, the goal of the study is not to provide causal or general conclusions but to explore a phenomenon and describe it in both number and detail. A sample of 27 will thus suffice.

Adams, Khan, Raeside and White (2007, 235) explain that one aspect of reliability concerns the definitions of the variables. If the concept implied by the questions differs from the concept that should have been measured, a specification error can arise (Biemer 2010). One of the respondents send an email regarding the definition of integrity affairs, which suggests that the definitions provided in the introduction might not have been clear or complete. A specification error can lead to invalid inferences (ibid). If the survey were to be used in a different sample, this would require adjustment. However, given the expert nature of the sample and that people who had questions did email for clarification, the variation in interpretation of the concept should be acceptable.

Measurement error arises from respondents who, deliberately or unintentionally, provide incorrect information in their responses (Biemer 2010). Factors that can influence measurement error are the discussion of sensitive topics, the setting of the survey and the questionnaire itself. Several precautions were taken to reduce measurement error. First, anonymity was guaranteed. Even though all the respondents were approached via email, they were not required to fill out any other personal information than their gender and the newspaper they are (were) working for. Second, everyone in the sample received reminder emails, because there was no way of knowing who had completed the survey and who hadn't (except for the people who mentioned they had done it). Similarly, respondents could fill out the survey in their own time and at the place of their choosing.

### *Interviews*

Berry (2002, 679) provides a critical analysis of the validity and reliability issues in elite-interviewing. He states that the valuable flexibility of interviews exacerbates the validity and reliability issues that are part and parcel to the approach. He discusses three methodological issues common to elite interviewing.

The first issue is called, passion, not dispassion (ibid, 670). This means it is not the obligation of the subject to be objective or to tell the truth. There are several ways to minimize bias from this: using multiple sources, asking subjects to criticize their own case and using the data for what it is. In this study, multiple respondents from a variety of newspapers have been included. On numerous occasions, they were asked to elaborate on their answers or to provide examples for their statements. Although this is not the same as asking them to be critical of their own work, it forces them to provide a more detailed account of their decision making. Using the data for what it is means to focus on the topics a respondent is comfortable with, and avoid topics in which they have a strong bias, unless this serves the purpose of the interview. In this study, there were no obvious, extreme biases that seem to have influenced the interviews.

The second issue concerns exaggerated roles. The question is, if the subject exaggerates their role, what, if anything, gets crowded out (ibid, 681). Exaggeration can be a risk to the quality of the interview in two ways. One, it increases the amount of important information that is left out, and two, it casts doubt on the credibility of everything else the subject says. There are two ways to minimize the impact of exaggeration relevant to this study: do your homework and ask about other participants and organizations. Of course, the subjects could have exaggerated their involvement in the process, but that doesn't necessarily have a negative impact, because most of the discussion circled around their own experiences and processes. Asking about other people or organizations has been applied in this series of interviews, although not on a large extent and not systematically. The goal of asking these questions was to make an assessment how the subjects' perspectives of certain values was shared amongst their direct colleagues, and thus to implement a moment of reflection.



The final issue concerns probing (ibid, 681). Probing is an important in interviewing. Methodological issues arise when during different interviews, the interviewer does not probe at the same point or with the same question. The interviewer must negotiate a tradeoff between systematically following the interview protocol or following up on intriguing answers. In this study, the latter has been applied, to discuss as many experiences as possible.

### **5.5.2 Validity**

#### ***Quantitative content analysis***

Validity is about whether a concept or an indicator measures what it is supposed to measure (Krippendorff 2004, 313; Bryman 2008, 151). Content analysis can be a strong technique in terms of external validity, but it depends on the sample. The external validity can be measured in several ways, one of which is the study's social validity. This depends on the social significance of the content and the degree to which the categories are relevant and have meaning beyond an academic audience (Riffe, Lacy & Fico 2014, 158). As outlined in the previous chapters, the social validity of this study is high. The categories used to describe the phenomenon have meaning beyond an academic audience. This is illustrated by the many organizations that focus on reducing the level of integrity violations in government. The most common form of validity used in content analysis, is face validity (ibid, 164; Krippendorff 2004, 315). It concerns whether a measure of a concept makes sense "on its face"; whether research findings can be accepted because they make sense without having to give detailed reasons. Validated categories have been applied where possible. In all other cases, the data has been followed, meaning that the most common reference have been used where possible, ensuring that the categories are logical to a large audience.

#### ***Survey***

In survey research, four types of validity are commonly examined (Adams et.al. 2007, 237). Internal validity, external validity, construct validity and conclusion validity. Internal validity is the extent to which conclusions about causal relations can be made on the measures used. This study does not attempt to make causal inferences, and thus internal validity is not relevant. External validity concerns the extent to which the results can be generalized. In earlier discussion on the generalizability of this study it has been argued that one should be very careful with generalizing the results due to the sampling strategies and sizes, and the nature of the study. Conclusion validity regards the extent to which the conclusions about the relationships between variables are reasonable. In this research design, conclusions will be based on results from all three methods.

#### ***Interviews***

One of the challenges in qualitative research is the external validity (ibid, 180). This discussion has already been presented in the discussion on previous methods used. During the duo interviews, there is a higher risk that respondents have given answers that were socially desirable, which could undermine the external validity (Barriball & While 1994, 331).

## **5.6 Conclusion**

The biggest challenges to the reliability and validity in this study stem from sampling strategies and sizes. The purpose of the study is to explore the phenomenon, not to discover causal relations or statistical inferences. In addition, the mixed methods design inherently facilitates triangulation of the results. The quantitative and qualitative data complement each other since the quantitative data provides an idea to the extent and nature of the phenomenon, and the qualitative data provides nuances and explanation. However, the (social) value of the research outweighs the challenges inherent to the design, and thus its relevance should not be underestimated.

To answer the research question, a sequential explanatory research strategy has been applied. In the first phase, a quantitative content analysis analyzes local newspaper articles about local integrity affairs. The second phase consists of a survey and semi-structured interviews. The methods in the second phase were executed simultaneously. To ensure triangulation, a combination of methods has been used to answer each question. Table 5.1 shows which methods are used to answer which questions.

<b>Question → Method ↓</b>	<b>1. Nature of coverage</b>	<b>2. Role of informant</b>	<b>3. Due process framework in practice</b>
<b>Quantitative content analysis</b>	√	√	
<b>Survey</b>		√	√
<b>Interviews</b>	√	√	√

**Table 5.1: methods and questions**

## 6. Journalists and informants: a tale of caution?

This chapter presents the results of the study and provides an answer to the research questions:

1. How many news stories on local integrity affairs appear in local media based on informants and what is the nature of the news coverage?
2. What is role of the source in local news coverage on local integrity affairs?
3. To what extent does the treatment of informants by journalists meet the standards presented in the due process framework?

### 6.1 Local news coverage of local integrity affairs

The first part of the first question addresses the number of news stories on local integrity affairs that appear in the local media. Figure 6.1 shows the number of articles on local integrity affairs that have been published over the years based on an informant, leak or tip.

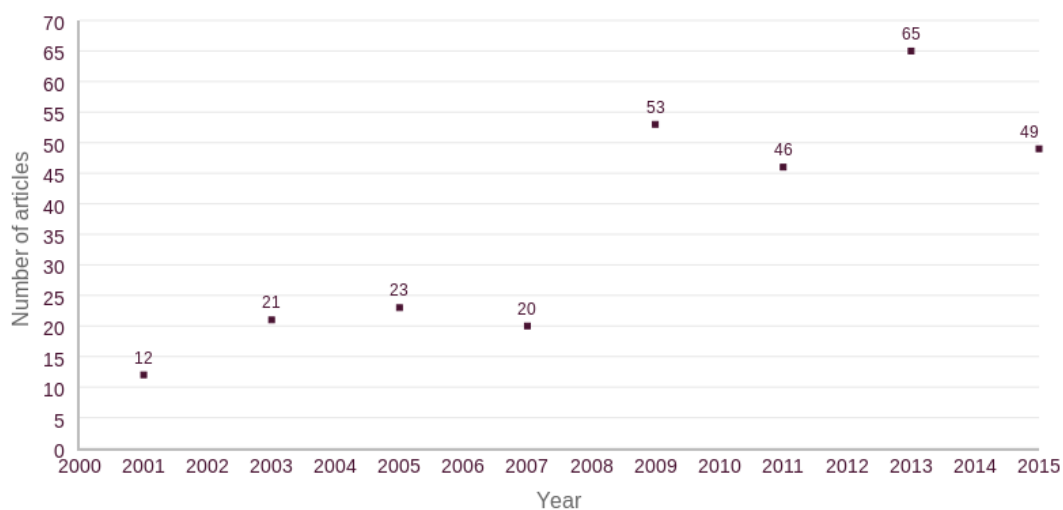


Figure 6.1: number of articles per year

The data suggests the amount of local news coverage of local integrity affairs based on an informant is increasing. In 2001, only 12 articles covered local integrity affairs based on an informant, whereas in 2015, the number has risen to 49. However, this number still is low. To put the number in perspective, 155.960 people were working for local governments in 2015 (A+O fonds gemeenten 2015).

The data should be interpreted with caution because of the integrity paradox (Huberts & Lasthuizen 2005). The paradox states that when there are more investigations into integrity affairs, it does not mean that more integrity violations occur. Rather, it means that the focus on the issue has increased which provides an incentive for more people to actively look for it. The increase shown in figure 6.1 could thus very well resemble the increased focus on integrity and the increased media attention that accomplishes it.

At the same time, there is a remarkable increase in reported integrity affairs between 2007 and 2009, from 20 to 53. It seems to coincide with the introduction of the '*Wet Maatschappelijke Ondersteuning (WMO)*'. The decentralization of the *WMO* is grounded in the philosophy that municipalities are better equipped to deliver social services because their relationship with the public is closer and more direct than the relationship between the national government and the public. The decentralizations led to an increase in the municipalities' budget, as well as the freedom to design their own policies and the freedom to choose their own partner organizations (Kamerstuk 27-09-2007). The concurrence of

the transition and the rise of reported integrity affairs is remarkable. It could be an indication that the increase of the municipalities' responsibilities has sparked an increase in integrity affairs. It could also indicate that due to the transition, the focus on the municipalities' activities has increased.

The first reason of concern presented in the introduction was that due to increased decentralizations and the complex nature of local governments, they become increasingly receptive to integrity affairs. The data does suggest an increase in the number of affairs covered, and that the increase of reported affairs is influenced by transitions like the decentralization of the WMO. However, the actual number of affairs that are disclosed through informants by the local media still seems comprehensible.

In the following paragraphs, the nature of the coverage will be addressed. The violation, the location, the accusation, the accuser, and the consequences will each be discussed.

### 6.1.1 The violation

*“Een integriteitskwes­tie klinkt als iets heel spannend met allerlei ‘deep throats’ en gelekte informatie. Maar zo is de realiteit vaak niet. Ik schrijf over een matig functionerende gemeente, waarbij aan sommige kwes­ties oud zeer ten grondslag ligt. Daarbij komt het regelmatig voor dat mensen zelf al snel en plein publique roepen dat persoon x of y niet deugt. Ik moet als journalist vaak eerder remmen dan graven. En vaak ligt de waarheid erg genuanceerd, waarbij er geen sprake is van bewuste vriendjespolitiek, maar wel van een gemeente die in het verleden vaak te cliëntelistisch heeft gehandeld. Of dat uitdagend is? Ik vind het uitdagend om mijn lezers zo goed mogelijk uit te leggen wat er in hun gemeente gebeurt, inclusief het verhaal achter het nieuws”.*

*Survey respondent – challenges*

What type of integrity violation is discussed in the article? Figure 6.2 presents the overview of the integrity violations that have been mentioned in the articles. The categories are based on the validated definition of integrity violations as defined by Lasthuizen (2008, 4; see also Schokker & Schillemans 2016). Two categories were added: unknown and corruption. The unknown category represents cases in which the violation wasn't specified. The corruption category entails cases in which the accusation of corruption wasn't specified, i.e. it was impossible to determine whether it considered bribery or favoritism. Some articles contained multiple violations, which is why the total N in the table does not match the number of articles or cases included in the sample.

The results in figure 6.2 suggest that the most common type of integrity violations concerns the misuse and manipulation of information. It is mentioned in over one third of the articles and cases. Misuse and manipulation of information include withholding information, not timely or adequately informing the council, and any form of leaking. The results differ from results found in previous studies. De Graaf and Stüwer (2014) and Huberts e.a. (2012 in De Graaf & Stüwer 2014, 9) found that misuse and manipulation of information only made up around 6% of the suspected misconduct. De Graaf, Lasthuizen and Van de Vijver (2009) found that misuse and manipulation of information only made up 0.6% of perceived misconduct. Finding a leak, in the words of respondent 5, can be like looking for a needle in a haystack: in some cases, it seems to be a waste of time and energy to go look for a leak you will probably never find, and so municipalities sometimes don't bother. This could influence the level of reports and thus explain the discrepancy between the results.

The second most common violation is the indecent treatment of colleagues or citizens and customers, which is mentioned in 10.1% of the cases. Compared to the other studies, De Graaf and Stüwer (2014) 26%, De Graaf, Lasthuizen and Van de Vijver (2009) 22.6% and Huberts e.a. (2012) 37.4%, this is a relatively low number.

Conflict of interest through gifts is the third most covered violation with 9.2%. Because not all studies used the same categories, it is impossible to accurately compare the results. To provide a general idea of how the results relate to each other, De Graaf and Stüwer (2014) found improper behavior regarding gifts makes up 1% of the cases and Huberts e.a. (2012) found that their category, ‘other abuse of position, including conflict of interest through gifts’ consists of 8.6%.

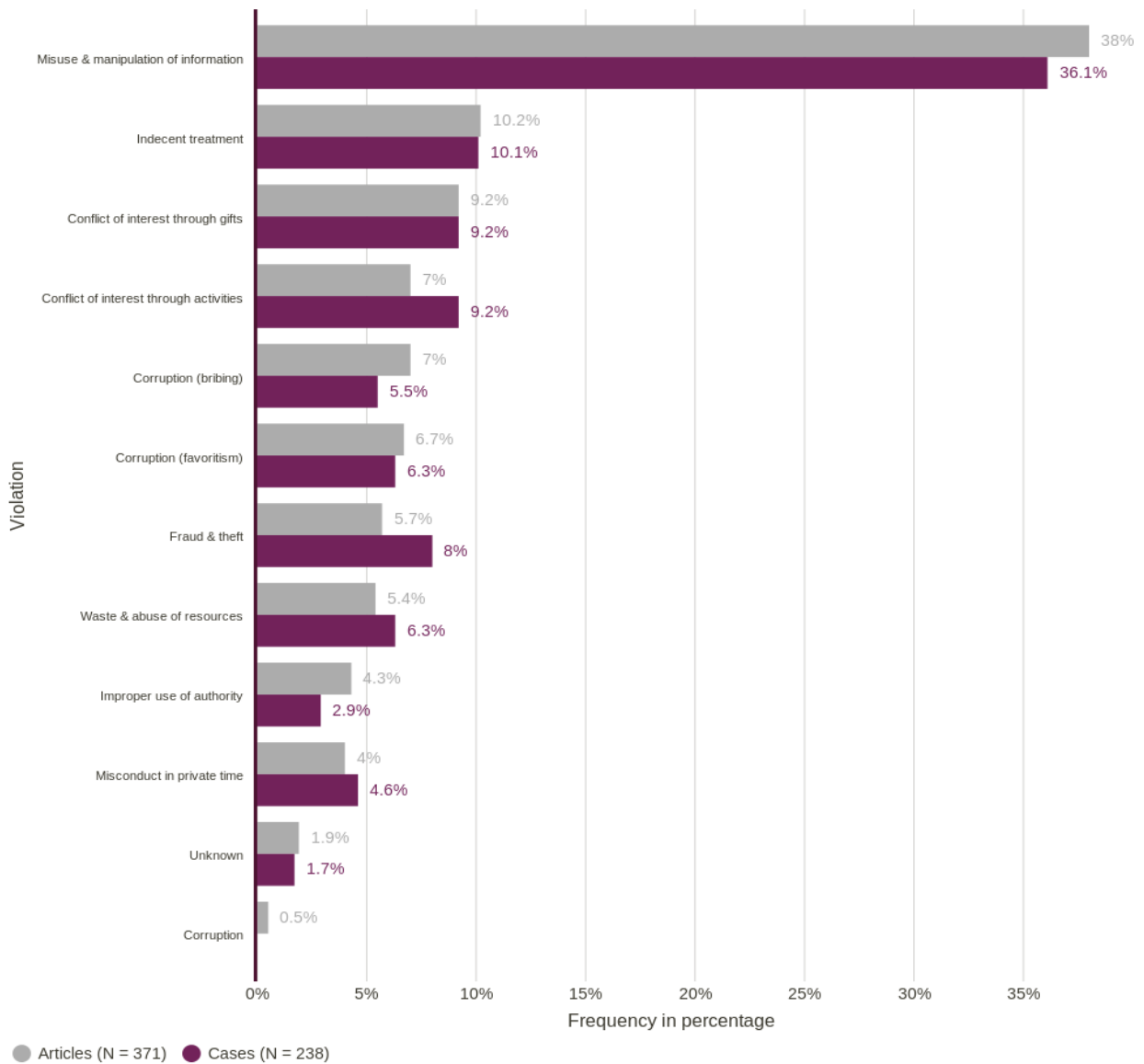


Figure 6.2: frequency of the integrity violations covered in the articles/cases

### 6.1.2 The location

Where do the integrity violations occur? To answer this question, the locations of the municipalities in which the violations occurred have been recoded into the province in which the municipality is located – see figure 6.3.

The top number represents the percentage based on all articles, the lower number represents the percentage based on the cases.

The results show the following top four: Brabant accounts for most integrity affairs with 24%, followed by Zuid-Holland with 16.7%, Noord-Holland with 16.3%, and Limburg, a notorious province when it comes to corruption, holds a fourth position, with 11.7%. These results are similar to results found by De Koning (2013), who examined all political affairs between 1983 and 2013. His results showed that out of the 216 affairs that were analyzed, 158 were local political affairs. The top four is the same: Brabant accounts for most affairs, with 21.5%, followed by Zuid-Holland with 17.1% and Noord-Holland with 15.8%. Limburg, again, holds a fourth position with 13.9%.

There are two remarkable differences in results amongst the remaining provinces. Gelderland accounts for 7.1% of the affairs in this study, but 13.3% in De Koning's. Similarly, Utrecht represents 7.7% in this study versus 3.8% in De Koning's. The remaining percentages are, in this study vs. De Koning's: Drenthe (3.1% vs. 3.2%), Overijssel (3.6% vs. 4.4%), Flevoland (1.0% vs. 2.5%), Groningen (3.6% vs. 2.5%), Friesland (3.1% vs. 0.6%) and Zeeland (2.0% vs. 1.3%).

De results indicate that provinces with the most inhabitants and thus more people in office, like Brabant, Zuid-Holland and Noord-Holland, account for most affairs (De Koning 2013).

### 6.1.3 The accused

Many different actors in office have been accused of misconduct. Table 6.4 provides an overview of the different actors that have been accused of integrity related misconduct in the articles in the sample. 26.7% of the accusations concerns aldermen, followed by civil servant(s) (17.4%) and mayor(s) (10.8%).

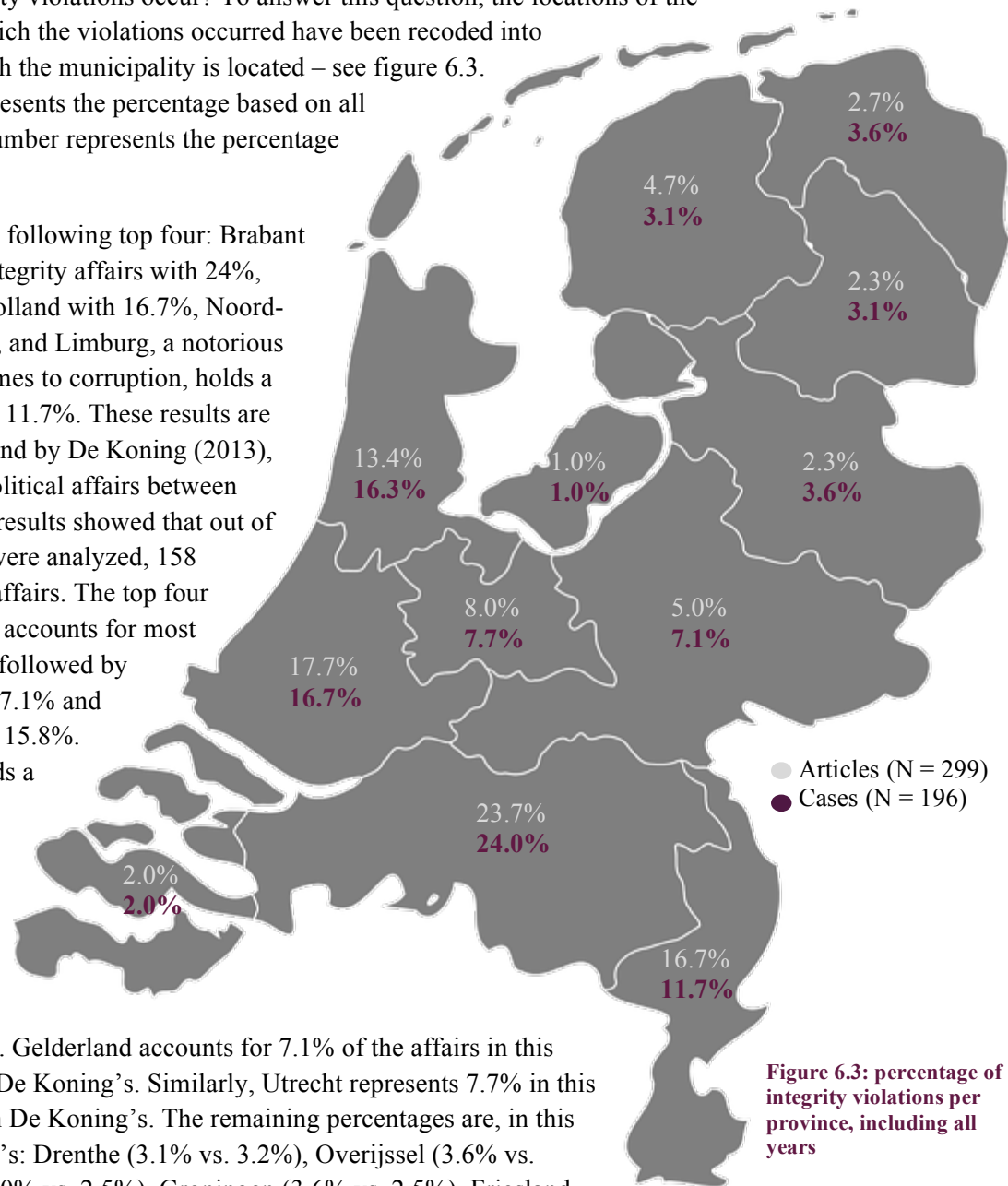


Figure 6.3: percentage of integrity violations per province, including all years

Position	Articles		Cases	
	Frequency	Percentage	Frequency	Percentage
Alderman/aldermen	68	22.7 %	52	26.7 %
Civil servant(s)	52	17.4 %	34	17.4%
Committee member(s)	1	0.3 %	1	0.5 %
Council, or member(s) thereof	40	13.4 %	29	14.9 %
<i>Of whom candidate(s)</i>	3	1.0 %	3	1.5 %
Executive board (mayor & aldermen)	11	3.7 %	8	4.1 %
Mayor	51	17.1 %	21	10.8 %
<i>Of whom candidate(s)</i>	5	1.7 %	1	0.5 %
<i>Of whom former mayor(s)</i>	1	0.3 %	1	0.5 %
Municipal administration (board & council)	8	2.7 %	6	3.1 %
Municipality	10	3.3 %	9	4.6 %
Party, or members thereof	19	6.4 %	13	6.7 %
<i>Of whom party leader(s)</i>	12	4.0 %	9	4.6 %
Town clerk	9	3.0 %	5	2.6 %
Unknown	23	7.7 %	13	6.7 %
Alderman and council member	2	0.7 %	1	0.5%
Alderman and civil servant	1	0.3 %	1	0.5 %
Mayor and civil servant	3	1.0 %	1	0.5 %
Municipality and contractor	1	0.3 %	1	0.5 %
<b>Total</b>	<b>299</b>	<b>100.0 %</b>	<b>195</b>	<b>100 %</b>

**Table 6.1: the accused**

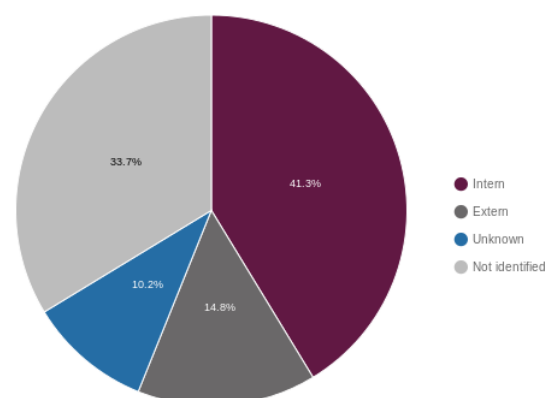
It seems that the news coverage for candidate mayor(s) increases, as five articles cover the wrongdoings of candidate mayor(s), while only one case is included in the sample. This could be due to the increase in media attention in times of elections (Vliegthart, Boomgaarden & Boumans, 2011). When new officials are (about to be) appointed, this can be an incentive for the media, and others, to see whether there are skeletons hidden in their closets.

Huberts and Nelen (2005, 64) show that in the official statistics, there is generally no distinction between elected officials, indirect or appointed officials, and public officials. A survey amongst municipalities addressed the distinction in 1991 and showed that in 17% of the cases it concerned politicians or administrators. The rest was accounted for by civil servants. Similar results were found in 2003. These results are based on the number of times municipalities investigated corruption and fraud (ibid, 27). A quick glance over table 6.4 shows that the group who is most often accused are not civil servants: aldermen, council members and the major make the top three. Together they account for 53.2%. Civil servants are only accused in 17.4% of the cases. Although this study cannot provide any grounded explanation for the differences in results, one potential explanation could be that the media have a stronger focus on (indirect) elected and appointed officials.

#### 6.1.4 The accuser

The previous paragraph showed that there is variety of actors who are accused of misconduct. Who are the people who accuse them?

The first distinction that can be made is whether the accuser is from the organization or not. Out of all the cases (N = 196), 66 did not clearly identify the accuser. Figure 6.5 presents the ratio between internal, external and unknown accusers. The results



**Figure 6.1: position accusers, all years (N = 196)**

suggest that most accusations come from within the municipality, with 41.3%. More than half of the accusations come from the council or its members (21.9%), followed by the mayor (5.1%) and civil servants (4.1%). External accuser only account for 14.8%, and include citizens (5.1%), business parties (2.6%), the department of justice (2.0%) or foundations (2.0%). Examples include a citizen accusing an alderman of using confidential information for their private gain when they the citizen tried to sell his house to the alderman, someone asking questions at a public meeting which disclosed a conflict of interest, and in one case, someone filed an official complaint. Collaboratiion

The final category is called unknown (10.2%). This category represents articles in which the identity or the position of the accuser remains unknown. It seems that the most common unknown sources are leaks (5.6%), anonymous tips tip (1.5%) or official complaints (1.0%). In one case (0.5%) a newspaper filed a WOB verzoek which led to the accusation.

These results show that there is a variety of actors who formulate accusations regarding integrity. The large representation of council members as accusers makes sense because it is part of their job to check on local government. However, based on the data used in this study it is impossible to determine the original source of their information. After all, they might very well have received a tip. The question remains why people decided to disclose the information through the media rather than through the formal control mechanisms. In addition, it remains unclear to what extent exactly the internal accusers are actually concerned individuals who want to improve the quality of their organization, or whether there are a lot of political games being played. Taking into consideration that aldermen are most often accused, the latter is not unthinkable. However, whether this is true or not remains a guess, and this study provides no data to proof the statement.

### 6.1.5 The consequences

The final aspect of the nature of the coverage of integrity violations in Dutch local government are the reported consequences. They can be divided into three categories, judicial consequences, political consequences and other consequences. The consequences discussed in this paragraph are the consequences that have been mentioned in the articles. This means that consequences which have not been mentioned in the article, are not included in the analysis. The chances are that this analysis does not provide the full array of possible consequences and only displays a few options. Therefore, the results should be interpreted with caution.

In 72 cases a judicial consequence had been reported. Figure 6.6 is a visual representation of the various judicial consequences. The most common judicial consequence after misconduct has been disclosed is a criminal investigation (33.3%) either by the public prosecution (27.8%), the police (1.4%) or the *FIOD* (1.4%). In 15.3% of the affairs a police report had been filed, and in 12.5% someone lost their job. In 13.9% of the articles there was a mention of a legal trial, of which 5.6% concerned an appeal. Only in a limited amount of cases (6.9%) a legal punishment was mentioned which includes community service (1.4%), fines (4.2%) and official warnings (1.4%).

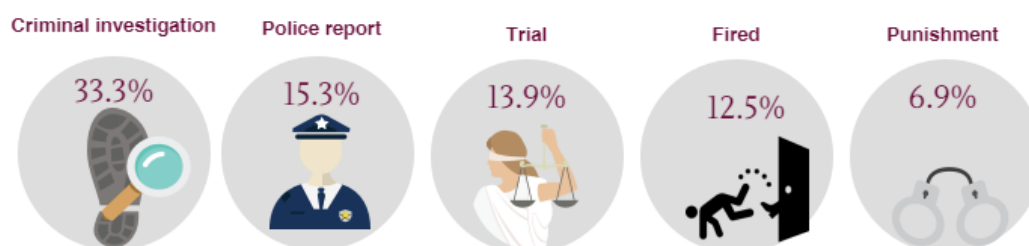


Figure 6.2: judicial consequences



In 98 cases a political consequence was reported. In 40.8% of the cases the disclosure of misconduct led to a resignation by: an alderman (16.3% of the cases), a member of council (10.2%), the mayor (6.1%) and the municipal clerk (2.0%). In 12.2% of the cases the disclosure led to council members proposing a motion, more specifically, a motion of distrust (5.1%), motion of censure (2.0%) and a motion of sadness (1.0%). In 9.2% of the cases a council member or alderman was expelled from the party, and in 4.1% of the cases they continued their work as independent council members. In 11.2% of the cases the incident led to a discussion in the council, which included asking questions, debates and the request for additional information about, for instance, investigations. In 2.0% of the cases this specifically led to a discussion about integrity which led to an improvement of whistleblower regulations and a discussion of a report by the audit department. Other political consequences include suspensions (3.1%), reprisals (3.1%), and obstruction from the nomination for political functions (2.0%). Figure 6.6 provides a visual representation of the political consequences.

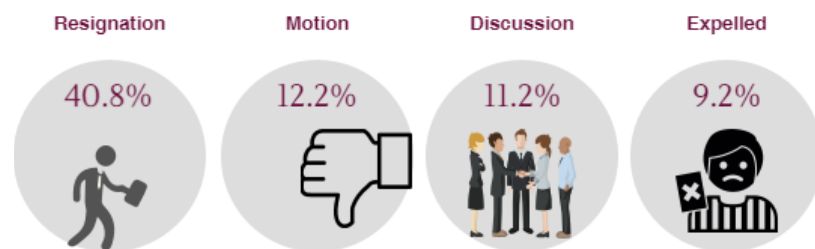


Figure 6.4: political consequences

The range of other consequences is narrower than the other two categories, see figure 6.5. In 94 cases, a consequence was mentioned that did not fit the judicial or political category. The most common other consequence is an investigation by a non-judicial actor (84%). In 31.6% of the cases it hasn't been specified in the article who conducted the investigation. In the other cases, the party responsible for conducting the investigation was mentioned. Most investigations were conducted by BING (35.4%), followed by mayors, who conducted (5.1%) of the investigations. Other agencies mentioned were Bureau Integriteit (3.8%), Deloitte (3.8%), and Hoffman (3.8%). Commissions and audit agencies were responsible for 2.5% of the investigations. Besides investigations, in 3.2% of the cases the integrity policy was adjusted. Other consequences mentioned in the articles included hate-mail, a recreational park war, a banana being thrown into the mayor's garden, and in one case, suicide.

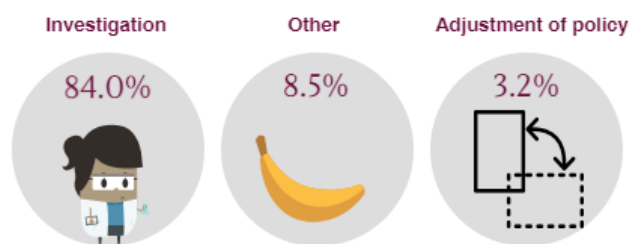


Figure 6.5: other consequences

The results indicate that the disclosure of misconduct can lead to a broad range of consequences. The broad scope suggests that there is no strictly set protocol on how to deal with the violations and what consequences there should be. The question remains whether organizations learn from the misconduct that has occurred, and impose policies to prevent that type of behavior in the future? The results suggest that in only 2.0% of the cases it led to a discussion on the role of integrity and in 3.2% of the cases to an adjustment of their policies. If organizations do not learn from previous mistakes, or take measures to prevent similar behavior in the future, how can they be trusted to advance their policies?

An important side note to this point is that these results are based on specific news articles. This means that, if it has not been written down, it is not included in this analysis. Therefore, it could very well be that organizations take measures after an incident, but that the article included in the analysis did not mention it.

### 6.1.6 Conclusion

The first of five reasons for concern was that there is a potential increase in integrity violations in local government. Results from this study suggest that indeed there is an increase in the number of integrity affairs that are reported by the local media. In 2015, 49 integrity affairs were disclosed by an informant through the local media. Compared to 2001, where there were only 12 cases, this seems a lot. However, based on the data used in this study, it is impossible to attribute the increase in affairs to one cause. There are several potential explanations for increase in reported affairs. The integrity paradox is an example hereof, which indicates that the results should be interpreted with caution. However, the concurrence of the steep increase of reported integrity affairs between 2007 and 2009 and the start of the transition of the WMO is remarkable to say the least. One explanation could be that the increase in budget and freedom to design policies has opened doors to more integrity issues. Another explanation could be that the decentralization has drawn the media's attention to the local governments, which brings us back to the integrity paradox.

The nature of local news coverage of local integrity affairs is broad. The results show that the media cover a range of integrity violations. The most common violation reported on seems to be the misuse and manipulation of information, followed by indecent treatment of customers and/or citizens and conflict of interest through gifts. Even though it depends on the study which violation is found most often, these results deviate from results found in previous studies. Generally, indecent treatment of customers and/or citizens is the most common violation, followed by conflicts of interest and waste and abuse of organizational resources. The discrepancy between the results could be explained by the variances in scope and methodology.

The three largest provinces account for most integrity violations, which could be explained by the fact that their public administration is relatively large (De Koning 2013). Most often, aldermen are accused of misconduct, which seems in line with the most common violation, since aldermen are often tasked with informing the council. Most accusations come from within the organization, and are formulated by council members. This fits their job description, after all, it is the task of the council to check on their local administration. However, due to the nature of the data it is impossible to identify the original source of the information. If external actors formulate accusations, it is often a citizen or a business partner. In most cases the disclosure of a violation leads to an (criminal) investigation. In only a limited number of cases it leads to the active discussion of the role of integrity and the adjustment of policies.

## 6.2 The role of informants in the disclosure of misconduct

*“De beste manier om heel snel kennissen, relaties of informanten kwijt te raken, is wanneer je niet open en eerlijk bent. Vertrouwen komt te voet, maar verdwijnt te paard. Het duurt vaak enige tijd voordat je vertrouwen van mensen hebt gewonnen. Maar er hoeven ook maar een of twee incidenten te wezen waarbij mensen zich belazerd kunnen voelen, en dan is het vaak ook voor jaren verknoeid. Dat is alleen maar nadelig voor je werk”.*

*Respondent 4*

The second research question addresses the role of informants in news coverage of local integrity affairs. This chapter addresses the question in two ways. The first one is based on the experiences of journalists in working with informants. The paragraph briefly discusses how they find each other and how journalists make an initial assessment of the information. The successive paragraphs discuss the type of source that underlie the articles. The purpose of this chapter is to understand the relationship between sources and journalists.

### 6.2.1 Journalists and informants in practice

The survey respondents were asked how often they write about local integrity affairs. The respondents who cover the topic indicated that they write (on average) 3 articles a year about it. The ways in which information reaches a journalist varies from a written letter in the mailbox to the occasional gossip with friends or family (respondent 5). Other common ways are through direct messages on Twitter, phone calls, and screenshots (respondents 3 & 5 & 6 & 7). Building a network and maintaining relationships is an essential part of the job (respondents 4 & 6 & 7). The longer you work in a specific area, the larger your network becomes, which means that more people will know how to reach you (respondent 1). Although journalists generally agree that you cannot write an article based on rumors, they provide excellent starting points for research. Some journalists think rumors are the best source for a news story (respondent 3), others only explore them when they contain specific accusations (respondent 6) and some think the pure existence of a rumor is reason enough to investigate it, because its mere existence makes it relevant (respondent 9).

### 6.2.2 Routine sources

Table 6.6 provides an overview of the sources used in the articles according to Soloski's (1989) typology of news channels. Routine channels include coverage of official proceedings and planned events and stories based on sources like press releases. Informal channels depend on a journalist's personal contacts, which include background briefings and leaks. Enterprise channels are the result of a journalist's own initiative. These include stories based on a reporter's own research and interviews.

News channel	Articles		Case	
	Frequency	Percentage	Frequency	Percentage
Routine	197	65.9 %	130	66.7 %
Informal	26	8.7 %	17	8.7 %
<i>Informant(s)</i>	2	0.7 %	1	0.5 %
<i>Leak(s)</i>	9	3.0 %	8	4.1 %
<i>Letter(s)</i>	5	1.7 %	3	1.5 %
<i>Other article(s)</i>	8	2.7 %	3	1.5 %
<i>Tip(s)</i>	1	0.3 %	1	0.5 %
<i>Unknown</i>	1	0.3 %	1	0.5 %
Enterprise	3	1.0 %	2	1.0 %
Unknown	73	24.4 %	46	23.6 %
<b>Total</b>	<b>299</b>	<b>100 %</b>	<b>195</b>	<b>100 %</b>

Table 6.6: overview of news channels

The results in suggest that the most common sources for news articles are routine news channels. They represent around two third of the sources. This seems to be in line with results presented in chapter 6.1.4, that most of the accusers of misconduct come from within the organization. These results seem to corroborate what has been found in previous research. Soloski (1989) found that most local news is based on routine channels. Brown, Bybee, Wearden and Straughan (1987) showed that both national and local media are heavily reliant on routine channels. Carlson (2009) argues that the reliance on official sources and routine news channels is one of the most reproduced findings in

journalism studies. The preference of routine news channels is often attributed to the fact that they are accessible and authoritative.

### 6.2.3 Informal sources

Informal channels include sources that are connected to a journalist's network like tips, leaks and other news articles. These are the news channels most relevant to this study. Only 8.7% of the articles and cases included in the sample were based on an informal news channel. The data suggests that a distinction can be made between six subcategories of informal news channels. The largest category of informal sources are leaks (3.0%). This is not surprising, because there are many reasons for intentionally leaking, and much of our news is based on information previously considered confidential (Hanson & Ceppos 2006).

*Kijk, een ding weet je als journalist heel snel. Iedereen die lekt heeft een eigen belang. Niemand lekt voor niets. Ik bedoel ze zeggen wel dat ze het doen voor de samenleving, maar meestal is het de oppositie die de coalitie gewoon een hak wilt zetten”*

*Respondent 1*

Following Sol (2002), one of the survey respondents remarked that when sources have an interest, they share biased information, which can complicate the verification process. However, interests are often not completely black or white. Respondent 9 gave an example of a public official who was caught violating the law. There were three witnesses, who had agreed not to talk about the incident. One of them broke the agreement and spoke to the media for two reasons. On the one hand, they were struggling with a sense of justice, and wanted to do what was right. On the other hand, they were personally involved in a family matter with the accused.

Leaks and tips are vital sources of information and can lead to the disclosure of misconduct. There are many ways in which they reach journalists. Respondent 1 discussed an example in which the board of a healthcare organization had presented new plans. They were very enthusiastic about the plans, but everyone else had concerns. Despite the concerns, the board continued their course. The opponents asked the union for help. The union approached a journalist and requested them to ask the organization some critical (predefined) questions about the plans, and so it happened. It turned out serious misconduct was going on. The journalist had been part of the union's strategy, because the union felt they had no leverage with the organization.

*“Soms denkt de buitenwacht ook weleens dat je een soort van maatschappelijk werk, of de politie of een rechter bent. “U moet hier maar eens over schrijven”. Of ze komen met hele individuele privégevallen waar ze dan denken, de krant moet dat maar oplossen. Maar ik denk ja, het moet wel een maatschappelijke relevantie hebben. Iemand die individueel in de clinch ligt met de gemeente over, weet ik het, een boom die wel of niet om moet, daar ga ik geen stuk over schrijven.”*

*Respondent 1*

The second and third most common type of informal sources are other articles and letters. When it comes to letters, often an association sends a letter to the council, and journalists receive a copy because of their relationship with the association (interview 4 & 6). An example of an article in which a letter played an essential role is presented in figure 6.6. Journalists are unlikely to use the information in the letters directly (interview 5 & 7). The letters, and a similar argument is made for tips and leaks, provide excellent starting points for journalists to start asking questions, through official channels or through their network, and gather the information necessary to verify the claims.

# Haardhout kost ambtenaar zijn baan

ERIC VAN DER VELDEN  
MAURIK | **Het laten thuisbezorgen van gemeentelijk kaphout voor zijn open haard heeft het adjunct-hoofd stedelijk beheer van de gemeente Amersfoort zijn baan gekost.** Een buurman in zijn woonplaats Maurik tipte de fractieleider van de Amersfoortse SP, een partijgenoot, die besloot

het te melden bij de gemeentesecretaris. Na rechercheonderzoek is de ambtenaar te kennen gegeven dat hij niet meer te handhaven is in zijn huidige functie en dat hij op zoek moet naar ander werk binnen of buiten de gemeente. De zaak kwam naar buiten door een brief van de Culemborgse predikant Henri Veldhuis aan de

Amersfoortse gemeenteraad. In die brief neemt de predikant het op voor zijn kerkenraadslid, dat hij als integer kent, maar doet hij ook uit de doeken dat deze praktijken al jaren schering en inslag zijn in Amersfoort. Ook andere ambtenaren van deze dienst zouden er zich schuldig aan maken. „Deze nuttige verdeling van resthout geschiedt al

jaren en is al geruime tijd bij de gemeente bekend,” schrijft de predikant, die de ambtenaar-in-kwestie persoonlijk goed kent. De gemeente Amersfoort wil om privacyredenen niet reageren, maar bevestigt wel dat er een onderzoek loopt. Een pallet brandhout voor de openhaard vertegenwoordigt een waarde van 200 tot 300 euro.

Figure 6.6: 25-06-2015 in AD/De Dordtenaar

The label ‘other article’ indicates that the article references another, previously written article as a source for their information. Often this is a reference to a national newspaper or the same newspaper. The journalist who uses the article as a source for their story does not necessarily know the sources and information on which the original article was based (respondent 8). This means that it becomes more challenging to assess the quality of these articles, as the level of transparency decreases.

Informal news channels are important sources of information, although they always require further investigation. Contrary to the expectations, this category only accounts for 8.7% of the sources in the disclosure of misconduct through informants. This is a relatively small number. It could indicate that the media are indeed dependent on official sources for their information, or that only a limited amount of the information shared by informants are turned into an article. However, even though the articles more often refer to routine sources, this doesn’t necessarily mean that the original source was a routine source. Many journalists indicated that they would not use an informal source as the only source for an article. They do, however, provide solid starting points. Journalists don’t always attribute the information to the sources, as a strategy to protect their identity (respondent 1).

## 6.2.4 Enterprise sources

In only 1% of the cases included in the sample it is reasonable to assume that the article was the result of an active investigation initiated by a journalist. Working with enterprise sources is referred to in the literature as slow news (Broersma 2009, 29). Slow news is news that results from the journalist’s own research based on a specific question (ibid, 30). It requires journalists to do research, search for sources and weigh different statements against one another.

A partial explanation for the low number of enterprise channels can be found in the challenges the sector faces. Heerma (CDA) and Mohandis (PvdA) filed a motion in parliament on November 28, 2016, in which they asked the minister to investigate the threats to independent (investigative) journalism (website VVOJ). They argued that the sector is essential but faces pressure due to downsizing and budget cuts. Especially investigative journalism suffers because it is an intensive and costly form of journalism. It is likely that this has influenced the results, especially for the more recent years included in the sample. But since the sample dates from 2001, one would expect to see a decline in enterprise journalism, rather than it being next to nonexistent. Another explanation could be that the research method is not suitable to determine the exact origin of the story. The way something has been presented in an article does not necessarily reflect its origin (respondent 1). Therefore, it might very well be that the category is underrepresented due to a coder bias or because it is simply not always possible to extract the exact origin from the text in an article.

### 6.2.5 Source unknown

When an article is labeled ‘source unknown’ it means that it cannot be stated with a decent level of certainty on what kind of source it is based. Not attributing information to a source can be a strategy to protect the identity of the source (respondent 1).

*“Als je absoluut geen bronnen mag noemen kan je zeggen, dat vertellen welingelichte. Maar je kan ook een stuk schrijven, gewoon bam, als zijnde feiten, en verder helemaal niets van wie of wat of hoe. Dan zoeken ze maar uit waar het vandaan komt, zolang jij maar weet dat het klopt”.*

*Respondent 1*

This provides a possible explanation why the ‘unknown’ category is relatively large. More so, it suggests that the reliability of the data in table 6.8 is precarious, because, as the quote indicates, journalists do not necessarily attribute the information to the source. Similarly, this could explain why the routine news channel category is large and why the informal category is small. Formal sources contribute to the credibility of a story, because of their authoritative nature.

### 6.2.6 Conclusion

Journalists can find a starting point for a potential news story anywhere: from gossip, friends, family, rumors, leaks or letters. The relationship they have with their sources is essential, because often that is the reason why someone will share information with them. A journalist’s reputation and network are key. People need to trust them to be willing to share information with them and a good relationship stimulates this. At the same time, the examples suggest that there should always be a professional distance between the source and the journalist. After all, journalists are tasked to bring socially relevant news, not to solve private conflicts between citizens and the government.

The results show that news about local integrity affairs is mostly based on routine news channels. One explanation is that routine news channels are both accessible and authoritative. Informal news channels, like leaks and tips, prove to be vital source of information. Journalists favor them as starting points for investigations, but hardly ever consider them to be sufficient. They always require additional research and verification. Therefore, the data from the quantitative content analysis should be interpreted with caution.

The second reason for concern states that journalists are dependent on their sources to disclose misconduct. The theoretical framework has provided insight that news is often the results of a collaboration between the source and the journalist. Although journalists are dependent on sources, it does not mean that they are not critical of their sources. The initial exploration of the relation between journalists and their sources shows that it might in fact be the journalist who leads the tango. This will be explored further in chapter 6.4.

### 6.3 Watchdogging: a journalist's perspective

*“Kijk, als jij er als bestuurder niets van bakt, en je zit te stoethaspelen, dan sabel ik je soms neer. Maar dat probeer ik wel op een keurige manier te doen, niet op de man spelen en niet persoonlijk”*  
Respondent 1

Schokker and Schillemans (2016) have investigated the role of the media in disclosing integrity issues in cases where an alderman had to resign. Their study showed that no matter how small and poorly equipped the media is, they still cover integrity affairs extensively. This is a positive perspective on the ability of the local media to fulfil their watchdog function, even in times of crisis, as has been argued throughout chapter 3.1.2.

*“Heel erg mee eens, omdat mijn ervaring in 35 jaar lokale en regionale journalistiek me heeft geleerd dat de serieuze media eigenlijk de enige zijn die hier een belangrijke rol in vervullen”*  
Survey respondent - watchdog

In the survey, all but one respondent said that they considered themselves to be a watchdog of government, which indicates that they take their role very seriously. The argumentation is diverse and broad. Some respondents stated that governments often paint a one-sided picture of the truth. It is up to the media to uncover the real story. Other respondents mentioned that formal reporting procedures and the organizations tasked with handling these reports are often overloaded, or do not have the guts to stand up to those in charge. It is then up to the media to fill that hole. Similarly, local governments often lack the capacity to notice misconduct or to do something about it. One respondent stated that as soon as governments know that the media is keeping an eye on them, they are more aware of their own functioning and the quality of their work.

However, the media is facing challenges that could undermine their watchdog position. Technological developments, like social media, provide platforms where everyone can say what they want. The reach of these platforms is enormous and messages can spread like wildfire (respondent 6).

*“Ik weet niet precies wat de afweging was, maar wij wilden de reactie niet plaatsen. En toen zei die woordvoerder van, nou, joh, dan zet ik dat toch lekker op Facebook.”*  
Respondent 6

Respondent 6 explained that these platforms undermine the position of local media because they allow organizations and public figures to surpass them. They can spread their message, but there is no external actor who checks their information, explores the other side of the story or places it into context. It puts pressure on journalists as they need to produce news items quickly, while providing a quality product. But these values are conflicting. It is not possible to be the first and reliable and independent and live up to journalistic standards (respondent 1 & 7).

*“En dat is wel een hele moeilijke hoor, tegenwoordig. Dan verwachten ze toch dat wij, als gerespecteerde media, dat wij de eerste zijn. Maar je kunt niet altijd de eerste zijn en gedegen journalistiek leveren. Dat wringt.”*  
Respondent 1

The fourth reason for concern was that the media crisis has undermined the position of the local media and their resources. Contrary to other news providers, local and regional journalists have the resources that enable them to explore a case fully (respondent 5). But budget cuts, the internet, a shift towards

entertainment rather than local politics and a decline in staff puts pressure on the watchdog function (respondent 7). This suggests that the media are currently challenged in their ability to adhere to quality standards and providing a socially relevant news product. This suggest that these developments might indeed proof to be a reason for concern.

## 6.4 Dealing with informants in practice

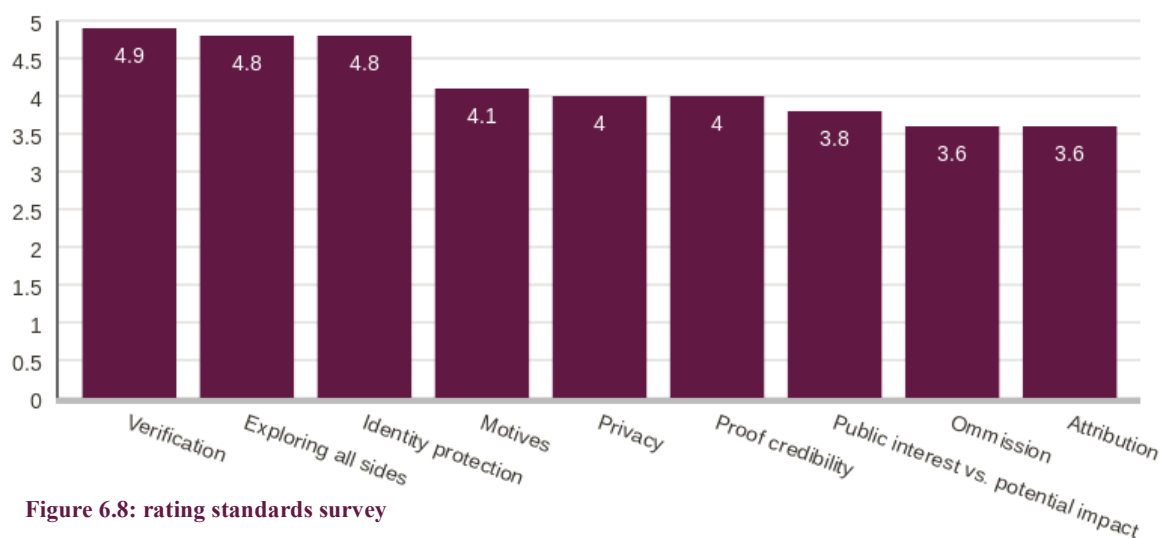
The due process framework is a list of standards that ensure a qualitative journalistic product when working with informants in the context of integrity affairs – see text box 6.1. This chapter addresses the final research question: to what extent does the treatment of informants by journalists meet the standards presented in the due process framework?

- To verify information.
- To explore all sides of a story and to provide the accused with the opportunity to respond.
- To balance the importance of the publication against the potential impact.
- To respect privacy.
- To be aware of the role of personal interests (motives).
- Not to disclose the source’s identity without their explicit consent.
- To proof sources are credible and reliable. In case of working with anonymous sources, proof that information could not have been obtained another way.
- To attribute information to its rightful source.
- To omit details which are not trivial to the story but could inflict unnecessary harm.

**Textbox 6.1: summary of the due process framework**

### 6.4.1 Evaluating the framework

In the survey, respondents were asked to evaluate each value separately through the question: ‘to what extent is [insert standard] important to you when writing an article about local integrity affairs?’ The values on the Likert scale varied from very important to very unimportant. To be able to compare how the values are rated, an average value has been calculated for each standard<sup>5</sup>, see figure 6.8.



**Figure 6.8: rating standards survey**

What stands out is that all standards are highly valued by the respondents. If it were a report card, all standards would have passed. Verification is rated the highest, with an average score of 4.9 out of 5. Exploration of all sides of a story and protecting the identity of a source are equally valued with a

<sup>5</sup> The values had been recoded as follows: very important was coded into a 5, important became a 4, neutral 3 etc. Not applicable has been coded into 0.



score of 4.8. This makes sense, since those are universal values that should be upheld at all times, according to the experts. Sensitivity to motives hold a fourth position with a score of 4.1. The protection of privacy of the people involved and the proof of credibility of anonymous sources come to an average of 4. The balance between the public interest and the potential impact of a score has been valued with a 3.8 on average. Attribution and omission are rated with a 3.6 out of 5. Even though they are at the bottom of the list, they are still more important than that they are neutral. Figure 6.11 paints a very reassuring picture. It suggests that journalists are not only dedicated to their role as watchdogs, but that they are dedicated to living up to the standards that ensure a quality product while protecting the rights and interests of people involved.

In the remainder of this chapter, each standard will be evaluated separately. The evaluation will be based on two elements: how do the survey respondents evaluate the standards and what does the journalistic practice teach us about the challenges that can arise and complicate upholding it.

### 6.3.1 Verification

Since unethical behavior of those in office undermines the public's trust, it is essential that the public is properly informed. When the media publish false accusations, public trust will be undermined which deteriorates the quality of government. It is thus essential that the media thoroughly verifies claims.

The survey shows that verification has scored the highest, with a 4.9 out of 5. 23 out of 27 respondents indicated that verification is very important to them when they are writing about local integrity affairs. The remaining four respondents, marked it as important, see figure 6.9.

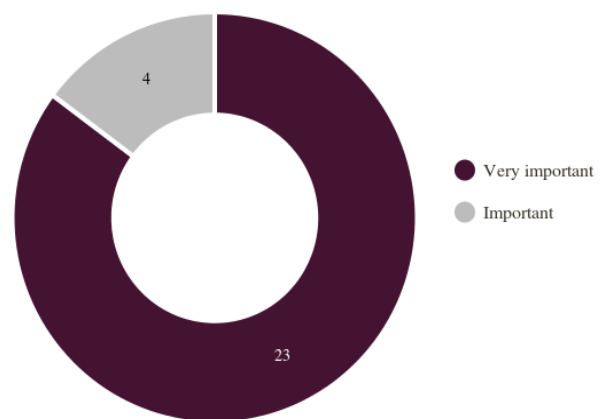


Figure 6.9: verification

There is consensus on the value's importance. Throughout the interviews, respondents repeatedly stressed that verification is a golden rule. It entails more than 'just' fact checking, it requires checking facts with multiple, independent sources (respondent 1). The reason is that, especially in politics, there is a chance that people are in cahoots with one another and are just trying to play you (respondent 4).

*“Goh, checken. Je moet het checken. En hoor en wederhoor. Dat is het allerbelangrijkste. En uitkijken dat je niet wordt gebruikt als krant.*

*Respondent 6*

One source is no source (respondent 9). Consulting multiple, independent sources is a must (respondent 1). It allows journalists to protect themselves from being used in a game, and ensures that facts prevail. It prevents false accusations from hurting the accused and protects the credibility of the individual and the organization from unnecessary harm. Respondent 5 explained that even when you are almost certain that information is true or authentic, it still needs to be verified.

The importance of verification increases when the potential news value of the information increases (respondent 4). Verification is important, especially when writing about integrity, because the consequences of any accusation of integrity violations can be tremendous. In addition, rectification is a process journalists prefer to prevent whenever possible (respondent 1). Journalists are responsible for the newspapers reputation. They have to prevent that people think they are a political tool used by those in office to settle personal differences (respondent 2).

It matters who confirms or denies allegations. Knowing a source can help to identify their motives. When accusations are made between rivals, there is a bigger need to question the validity of their answers. However, if the source is someone close to the accused, like a confidant, the answers can be weighed differently (respondent 3).

Although it seems to be the most valued standard, respondents indicated that verification can be a challenge. During the process people don't always confirm or deny claims, or they provide half-truths. The more you talk to different people the more clarity you get on what has happened (respondent 7). To verify allegations, journalists are reliant on their network and their reputation. People are willing to cooperate if they know you can be trusted (respondent 3 & 2). Similarly, journalists are inclined to trust some people more than others: if someone has proven to be trustworthy in the past, it is easier to trust them again (respondent 6). Respondent 4 stresses that it is important to have a relationship with your sources, because when you know them (well), it becomes easier to identify if and when they get creative with the truth (respondent 4). The relation between journalists and sources requires a certain level of trust. Respondent 5 illustrated this with a story about a local paper that writes a lot about an organization in the area. They depend on the organization for information and the organization needs the journalists to write about what is going on. Something happened that drew the attention of the national media. One day, a journalist who worked for a national newspaper came in unannounced and started to ask questions. The organization asked them to leave, because they thought the journalist's behavior was rude, since they hadn't mentioned they were coming or introduced themselves. The effects of this action were felt far beyond that journalist: the organization refused to answer any questions from the local newspaper for a while.

Even though the respondent indicated that verification is very important, it does not mean that every reporter uses the same standards of verification. Respondent 8 mentioned that rectifications still occur and suggested that the dynamic underlying these decision-making processes could be very interesting research subjects.

The state of affairs regarding verification seems excellent. The survey showed that all respondents consider it to be an important standard. The majority even indicated it was very important. The interviews showed that although the process of verification can be challenging, journalists seem rather uncompromising in upholding it. However, the fact that they state this does not mean that in the execution the same standards are upheld by everyone, and rectification is something that still happens.

### 6.3.2 Exploring all sides of a story

The second most valued standard is the exploration of all sides of a story. 22 respondents considered it to be very important and five respondents considered to be important, see figure 6.10.

Allowing someone who is accused of misconduct to respond to the accusations is a basic journalistic principle (respondent 4 & 6). Verifying accusations with the accused can be a way to obviate claims purely motivated to hurt someone (respondent 6). Respondent 6 explained how someone tried to accuse an alderman of incest. It turned out to be a malevolent, selfish act. In this case, a dedication to verification and a thorough exploration of all sides

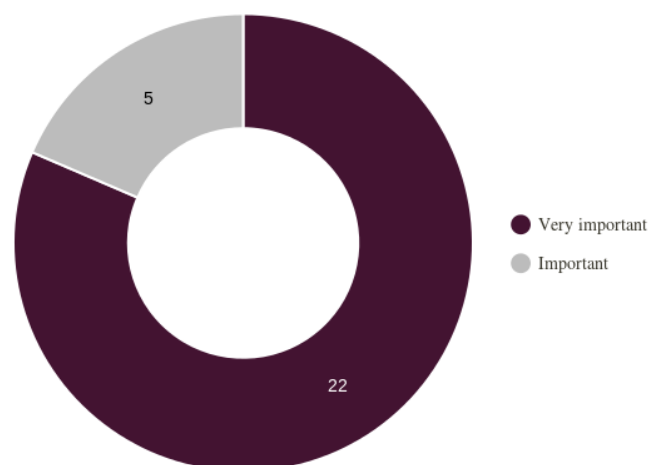


Figure 6.10: exploring all sides of a story

of the story prevented the false claims from being taken seriously and made public.

*“Wanneer mensen ergens concreet van worden beschuldigd en ze worden nog net niet met naam en toenaam genoemd, maar voor iedere betrokkene is overduidelijk wie er wordt bedoeld, dan moet je naar die mensen toe om een weerwoord te vragen. Dat is gewoon een basishouding in de journalistiek, daar is verder niets bijzonders aan, dat hoort gewoon zo.”*

*Respondent 4*

Even though exploring all sides of a story is a basic principle in journalism, people who aren't familiar with journalistic practice don't always understand the necessity. Some are even offended when they find out a journalist cross-checked their claims with the accused, because the response usually doesn't match their claims (respondent 6).

Trying to get a response is not the same as obtaining one. It is quite common that journalists reach out to the accused, and they refuse to answer (respondent 2 & 3 & 5 & 9). If they are not willing to comment, it doesn't mean that the article won't be published. If people don't want to use the opportunity to have their say, it is their decision.

*“Ja dat is dan vaak denk ik ook het slimst om te doen. Als je geschoren wordt, moet je stil zitten.”*

*Respondent 3*

The state of affairs regarding exploring all sides of a story seems excellent. The survey showed that all journalists consider it to be important, the majority even very important. The importance of the standard was also stressed by journalists in the interviews. It is considered a basic principle. But like verification, the fact that respondents indicate that they value the standard highly does not prove anything about their execution. Rectifications still happen, which indicates that somewhere along the process information might have been misjudged.

### 6.3.3 Identity protection

The protection of the identity of the source is yet again a value that is held in high regard, with 21 respondents indicating it is very important and 6 respondents indicating it is important, see figure 6.11.

Journalists feel responsible for protecting the identity of their sources. They just don't say where they got their information (respondent 5 & 7), not even a slip of the tongue (respondent 9). The more prominent the sources, the higher the stakes are. People in high positions are viable to serious repercussions if people find out they have disclosed information (respondent 4). In the codes of conduct, journalists and organizations carry a responsibility to protect the identity of their source unless they have given their consent. This is not only in the interest of the source. If journalists fail to do so, they will have broken trust indefinitely (ibid).

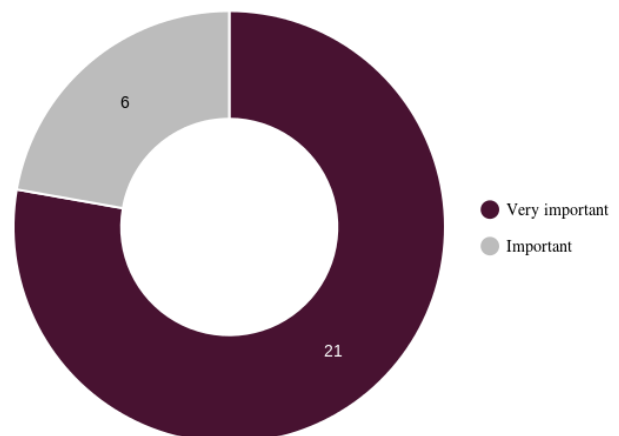


Figure 6.11: identity protection

*“Het uitdagende zit in het feit dat journalisten bij bronnen die bronbescherming verdienen/eisen er extra van de verslaggever wordt gevraagd voor de publicatie. Beschuldigingen zijn vaak niet mals en dienen dus door meerdere, onafhankelijke bronnen te worden onderschreven. Daarbij is er altijd de angst bij klokkenluiders dat de verslaggever onzorgvuldig met de identiteit omgaat. Dat brengt spanning met zich mee. Door het juist ‘goed’ te doen, levert dat krediet op.”*

*Survey respondent – question what is challenging in the process?*

Sources often know if the information they share is commonly known. Journalists say that sources decide to share information (respondent 3 & 6 & 9). If they decide to share your information with the media, they can expect that it will be used, and it is up to the source to decide if they want that (respondent 6).

### **Anonymity**

*“Dan bellen ze wel, maar dan is het altijd anoniem hè. Als ik ergens de schurft aan heb... En ik wil het ook zelden doen. Ik vind dat zo een zwakgebod. Ik bedoel, je komt wel bij mij shit op tafel gooien en je verwacht dat ik daar dan maar wat aan doe, maar ik mag jouw naam niet eens gebruiken want je wilt niet dat mensen weten dat het van jou komt”*

*Respondent 1*

Anonymity is something journalists have to deal with almost daily (respondent 9). It can be a challenge to the journalistic process (survey respondent). Journalists feel that sources have to have a legitimate reason if they want to remain anonymous (respondent 6). Examples are facing serious repercussions, like job loss, or when the story has a huge social value, and there is no other way to write about it than based on anonymous sources. Respondent 6 explained that it is common for journalists to work with information that comes from anonymous sources. It is something they deal with cautiously. Ideally, you publish an article with full names, because it ensures transparency. But often this is not possible because of the potential consequences for the source.

*“Dat gebeurt te vaak. Helaas. Steeds meer heb ik het gevoel dat journalisten daar tegenaan lopen. Ook als je mensen willekeurig op straat vraagt, ‘ik hoef niet met mijn naam in de krant’. Of ze willen alleen nog hun voornaam. Omdat ze anders teveel te Googelen zijn weet je wel.”*

*Respondent 7*

In other cases, the question is, are you going to bring the story based on anonymous sources only, even though you know who they are? (respondent 7). This is often the case with civil servants because they cannot always speak freely in public. Some say that if you have more than one source, and you know who they are, it is acceptable to publish based on that information and not attribute the information to the sources (respondent 7).

The desire to remain anonymous seems to be increasing and expanding. No longer are people willing to disclose their name because they are aware that it will remain on the internet forever (respondent 7). Sometimes journalists can convince people to use their name (respondent 9). This is important because it partly determines the quality of the story. If a reporter can attribute claims to their source, it allows people to make their own assessment of the reliability, veracity and knowledge of the source.

The state of affairs regarding protecting the identity of sources can be considered excellent. The survey indicates that journalists find it very important. The data from the interviews show that it journalists don't prefer to leave out the identity of the source unless this is necessary. In the current day and age, everyone wants to remain anonymous. This is, however, not essential and it is not a journalist's duty to provide protection if it is not necessary.

#### **6.3.4 Being aware of motives**

Journalists do think it is important to take the motives of informants into consideration. 8 out of 27 indicated that they consider the source's motive to share information very important, 15 said important, 3 were neutral and 1 deemed it unimportant, see figure 6.12.

The consensus on the value of motives is less than with the previous discussed values. On the one hand, political feuds are fuel for journalists, but on the other hand, being aware of motives can help a reporter safeguard their independency (ibid).

Whenever reporters are approached by sources there are two key questions. One, is it possible that this person knows this, and two, why are they sharing this with me (respondent 3). Most people don't wear their motive on their sleeve, and if they do, it is a reason to be cautious. After all, it might be a strategy to create leverage so they can ask for coverage of something that is important to them in the future (ibid).

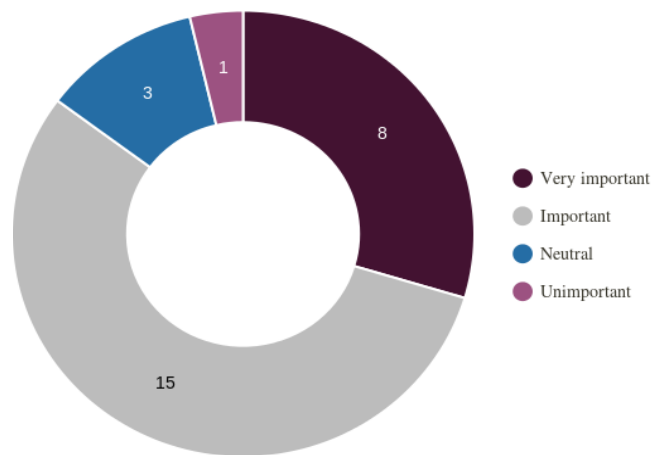


Figure 6.12: motives

*“Daar moet je je altijd van bewust zijn natuurlijk, als journalist. Er is altijd een belang. En dat geldt voor alle kanten, welke partij je ook benadert.”*

Respondent 7

Being aware that someone is gaining from sharing information makes journalists more critical (respondent 3). The importance of the motive depends on the accusations. If accusations are true and serve a social interest, it doesn't matter if it is an act of revenge (respondent 4).

In a rather unique example, respondent 7 shared a story where he was approached by a former public official who wanted to talk about a delicate political situation regarding himself. The former official had received a letter from the municipality, who accused him of fraud. He approached the reporter because he had rivals on the board and was afraid that they would leak the information. The former official thought it was best to anticipate the situation, so he would not have to defend himself from false accusations. It turned out the accusations resulted from an administrative miscommunication.

The state of affairs regarding sensitivity to motives is good. The survey shows journalists are more divided on the importance of the standard. The data from the interviews has also indicated that motives are complicated. Yet, many journalists are aware that they are constantly lurking, especially in politics (respondent 4). Dodgy motives increase the necessity of thorough verification and exploration of all sides of a story. Being sensitive to motives is helps journalists to maintain their independence, and protects them from being used in a political game.

### 6.3.5 Respecting privacy

Privacy is a value much dependent on circumstances. The question in the survey addressed privacy in general, i.e. concerning citizens and public officials. Most respondents consider privacy important (15), or very important (6), while some indicated they are neutral (6), see figure 6.13.

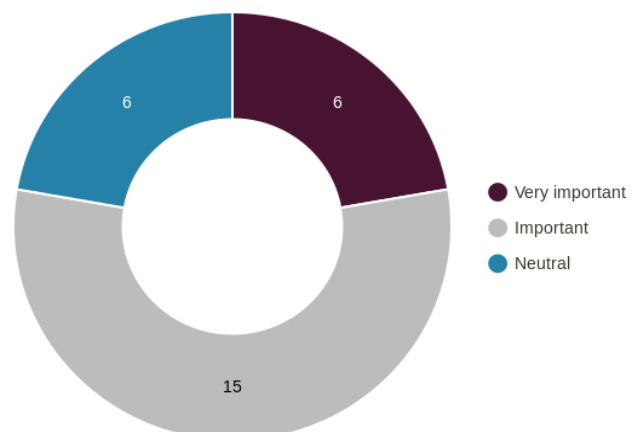


Figure 6.13: privacy

It is generally accepted that those in office are subject to the scrutiny of the media. Public

officials in The Netherlands enjoy a decent amount of privacy in their private lives. Reporters have no interest in the private conduct of public officials, including private (business) conflicts, unless this impacts their public functioning (respondent 9). When public officials violate the rules, it concerns everyone because it says something about how they deal with their privileges (respondent 7).

Public officials are expected to understand media logic, i.e. they understand the interests and objectives of journalists and the potential impact of their comments. This means that when they provide an exaggerated comment, reporters will not filter it because it can be a strategy to elicit a certain reaction (respondent 4). In one example respondent 5 shared a story in which they were covering a school’s promotion of certain occupations. The spokesperson said that certain professions were typically for women or gay men. The comments were included in the story and as one can imagine, the spokesperson wasn’t happy about it.

*“Het wordt anders wanneer het een individu is. Er zou ook kritiek kunnen zijn op een buurtmoeder die met de beste bedoelingen ergens iets heeft opgetuigd waar andere mensen last van hebben. Maar die wordt minder kritisch benaderd dan een beroeps politicianus.”*

*Respondent 3*

The standards for coverage of citizens is different. Some journalists feel that it is their duty as a journalist to protect inexperienced sources (respondent 3). One way to do so is by summarizing what they said, but leaving out certain comments (respondent 4). Often journalists can sense it when people are unaware of their contribution or the consequences thereof (respondent 5). In one example, respondent 3 shared a story of how he was interviewing a lady. She was 85 years old and had lived in the same house for over 60 years. Over the years, many immigrants had moved to the village. During the interview, the reporter asked her what had changed. She answered that many Moroccans had moved there and that those boys kick the ball in her yard all the time and they enter her property to get it back. The journalist decided not to include the comment the way she had phrased it. It did not fit the focus of the story and the potential reactions could be harsh.

The state of affairs regarding respecting the privacy of those involved is good. The survey showed a consensus regarding its importance. The interviews showed the difference between privacy for public officials and citizens. Whereas journalists feel they have a duty to (sometimes) protect citizens against themselves, public officials are subject of public scrutiny because of their function and are expected to understand media logic.

### 6.3.6 The plausibility and credibility of sources

The plausibility and credibility of any source is important, not just for anonymous sources. However, it seems to be more challenging when working with anonymous sources. 15 respondents consider it to be very important, 7 respondents say it is important, 1 is neutral, 1 considers it unimportant and according to 3 people it is not applicable, see figure 6.14.

Mentioning sources improves the quality of a story (respondent 9). Transparency about the

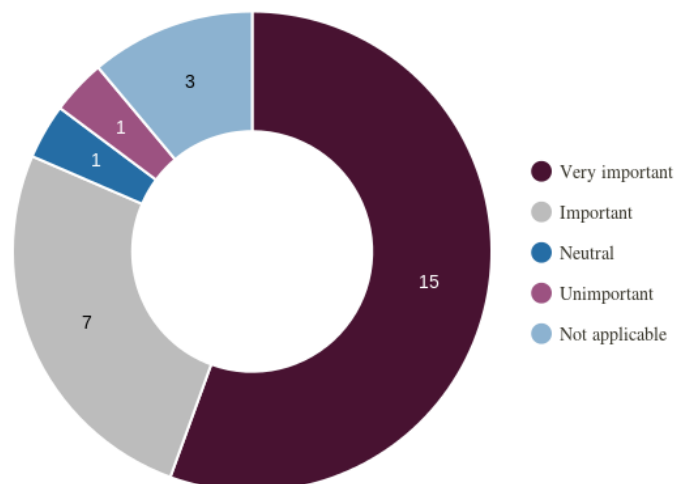


Figure 6.14: plausibility and credibility of sources

origin of information is required if you want to make a convincing argument.

*“Laten we zeggen, je journalistieke belang is dat het gaat om een gebruik van publieke gelden die op zijn minst discutabel is. Maar hij overtreedt de wet niet. Daarom is het zo belangrijk dat er een hoogleraar wordt aangehaald die gewoon zegt, ik vind dit eigenlijk niet kunnen. Daar is de regel niet voor bedoeld. Dat is een heel belangrijk onderdeel van het verhaal, anders is het gewoon, we gaan even een wethoudertje pesten”.*

*Respondent 2*

There can be a tension between providing the reader with enough information about the sources and protecting the sources. If journalists succeed in convincing multiple, independent sources to let them use their name in the article, while being able to verify their claims and hear all sides of the story, indeed, they have proven the plausibility and credibility of their sources. But reality is often different and it is not always easy or possible to prove plausibility and credibility of sources in publications. Conflicting values, like anonymity, make it simply impossible to do so without violating agreements. Similarly, privacy is very important to people, because sources can experience a lot of negative backlash from their actions, even though they did they right thing (respondent 9).

The state of affairs regarding proofing the plausibility and credibility of (anonymous) sources seems mostly fine. The majority of the survey respondents consider it to be very important, which is reassuring. However, in practice, it seems that there are some obstacles that could hinder its application. The value seems to conflict with other standards, like protecting sources in their identity and safeguarding privacy. It is a criterion which is mostly used as an internal check for journalists and their newspapers, but it often remains hidden from the public.

### 6.3.7 Public interests and justifiable harm

The balance between the social relevance and the potential damage is often dependent on the context. Compared to the other values, the answers about the balance between the public interest and justifiable harm show more variation, see figure 6.13. Most journalist think it is important (11), followed those think it is very important (8). There are some journalists who seem to be neutral and there are a few who think it is either unimportant (1), very unimportant (1) or not applicable (1), see figure 6.15.

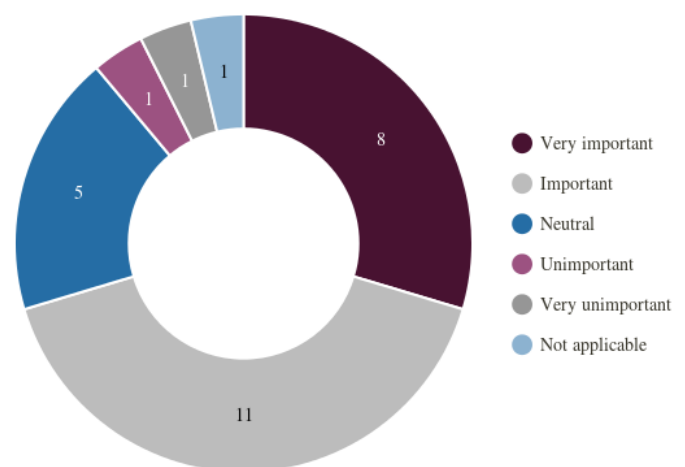


Figure 6.15: public interest vs. impact

### Sensitivity and justifiable consequences

*“In Keulen, oudejaarsnacht. Dan komt er ineens zo een bulk shit naar buiten. Kranten hier in Nederland nemen dat allemaal denk ik dan vrij klakkeloos over, want asielzoekers, vluchtelingen. In het begin leek het alsof ze vanuit Syrië linea recta die meiden hebben beroofd en aangerand. Achteraf blijkt het toch allemaal veel genuanceerder te liggen. En dan denk ik, met zo een gevoelig item, dan moet je als journalist toch even drie keer nadenken voordat je gewoon klakkeloos over gaat kalken wat anderen roepen en schreeuwen.”*

*Respondent 1*

The nature of a claim can influence on how reporters work with it. The larger the potential impact of a story, the more cautious reporters tend to be. But reporters don't choose not to write a story because

*“In dit geval maak je dan een afweging van, op het moment dat ik dit schrijf breng ik dan hun positie in gevaar? Gooien we nog olie op het vuur? Het kan heel informatief zijn voor anderen dit in een vergelijkbare situatie zitten, dus er is ook een maatschappelijk belang bij het schrijven van zo een artikel, maar het heeft wel een zeker gevaar in zich.”*

*Respondent 3*

of its potential impact or because it could harm people (respondent 9). What is important is to be sensitive to how your story will affect every actor involved.

Respondent 1 provided an example that is illustrative of this dynamic. Citizens approached the journalist because they were worried about refugees who had recently been terrorizing each other and the neighborhood. While talking to the journalist, the citizens had ongoing conversations with the municipality. They agreed with the reporter that no article would be published before the negotiations with the municipality were finalized. Over the weekend, rather unexpectedly, the municipality had transferred the refugees to another location, which solved the issue. However, the incident had not lost its news value and it would still be socially relevant to write an article about it. When the reporter asked the citizens for comments, they didn't want to talk anymore, after all, their problem was solved. This left the reporter with two options. One, publish the article and include all the comments the citizens made during their first encounter, or two, leave out the comments and place the article in context. The reporter chose the latter. Had they included the citizens' comments, it might have drawn the attention from the national press. But for what purpose?

In the previous example, the journalist decided to omit certain quotes to make sure the story served a public purpose while doing justice to the incident. Respondent 7 provided an example of a situation where there was a story that could have had a tremendous impact, both socially and individually. It concerned a voice recording of an alderman who tried to buy drugs in the middle of the night, of a street dealer. There had been rumors about the alderman before, so the recording was a good starting point to start exploring the matter. It is in the public's interest to know if aldermen behave like this, because it makes them receptive to blackmail. However, the journalist couldn't verify the claims and the authenticity of the recording, and thus the story was never published, because the consequences of publishing these allegations if they were not true, were unjustifiable.

The state of affairs regarding the balance between the public interest and justifiable harm seems fair. Sensitivity to justifiable consequences is embedded in other values. What determines whether the consequence is justifiable is inherently related to the person who it concerns, whether the claims can be fully verified, and whether a public interest is served. It seems to depend on the situation and the journalist in question. What is justifiable depends on one's own perspectives and definitions. As such, it is almost impossible to define general rules with regards to what is justifiable harm. If there is a social interest that can be served with the disclosure of misconduct, this will prevail. However, the journalists in the interviews all seemed to strive to be reasonable and balance the various interests at stake, taking into consideration other standards like verification, privacy and identity protection.

### **6.3.8 Omission**

Omission is about what is not written down. It emanates from justifiable harm. A common form of omission by leaving out non-vital information from stories. Most of the journalists think it is an important value (14), while others consider it very important (5), neutral (4), very unimportant (1), and even not applicable (3), see figure 6.16.



The example about the elderly woman in paragraph 6.3.5 is an example of how journalists omit information to protect the person involved (respondent 3). Similarly, the example in paragraph 6.3.7 about the refugees shows how omitting information is used to serve a public interest.

Omission can also be used as a tool during negotiations. For instance, a journalist can hold off to publish a story in exchange for a scoop (respondent 3). Respondent 9 shared an example where they were working on an article about a public official who had allegedly committed a crime. In the process of finding the truth, the reporter spoke with the county board. The matter was precarious and a criminal investigation started. The county board was very willing to cooperate with the reporter and promised them the scoop. They agreed on when the article would be published and informed the accused of the agreement. The county’s only condition was that they wanted the journalists to use specific terms to describe the allegations. Although reporters usually don’t like it when people try to interfere with what they write down and how, they complied. According to the respondent, the situation was rather unique.

What (not) to omit is also a bargaining process. There are always people who want to influence the story by bargaining what reporters can and cannot use. There seems to be an unwritten rule that whenever a source mentions ‘this is off the record’, before saying what they are about to say, it generally is not a problem (respondent 3 & 7). If people mention it during an interview or an ‘on the record conversation’, it is more problematic, because the purpose of what the reporter wants to do with the information is obvious. In case of an ‘off the record information’ they should discuss it after, otherwise things can get very complicated (respondent 7). When casually discussing matters with people, in an informal way, it is not done to use that information without informing the source (respondent 4). People tend to speak more freely when they are speaking informally (ibid).

The state of affairs regarding omission is fair. The survey indicates that there is a lack of consensus, and the interviews suggest that there are no general rules for omission. Some journalists are more forgiving when it comes to omitting information than others. It depends on the context and accusation at stake. However, whenever needed, and especially in sensitive cases, journalists seem to be willing to do what is necessary to provide a quality product while respecting the people involved.

### 6.3.9 Attribution

The last value, attribution, has scored an average score of 3.6. Attribution concerns attributing the information to the rightful source. 1 respondent considered it to be very important, 18 respondents thought it was important, 6 were neutral, 2 considered it very unimportant and 2 respondents mentioned it was not applicable, see figure 6.17.

Attribution is a complicated standard. Sometimes the information cannot be attributed to because the

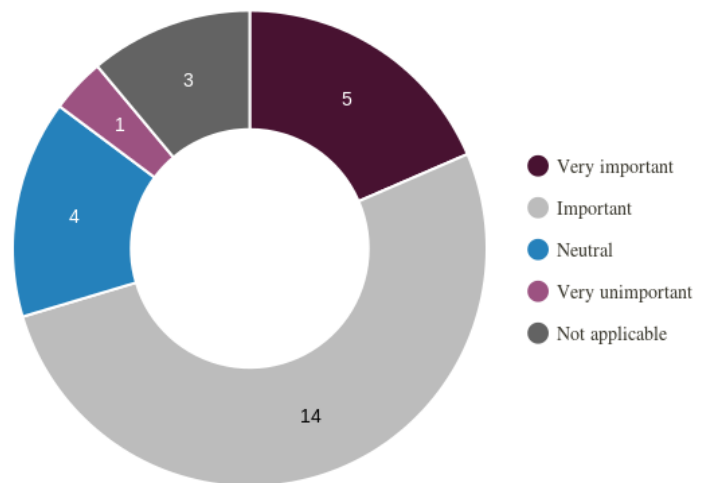


Figure 6.16: omission

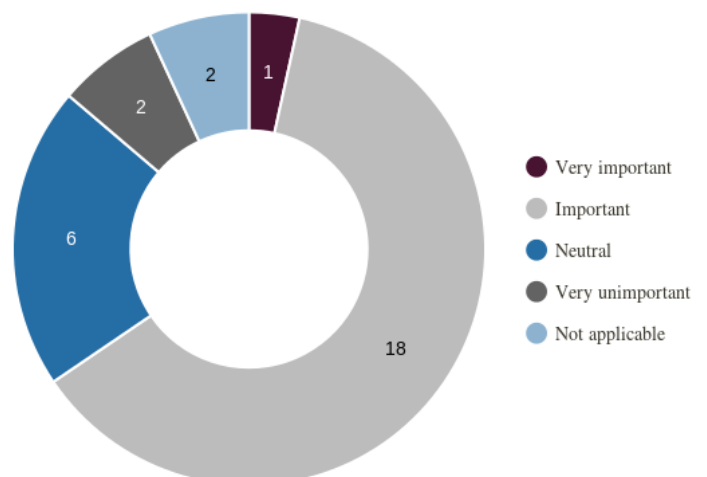


Figure 6.17: attribution

identity of the sources needs to be protected (respondent 4). Other times it is because reporters simply don't know who the source is.

*“Ik heb zelfs een keertje de beschrijving in onze eigen krant gelezen, bronnen in en rond het stadhuis... Dan heb ik het idee dat de mensen in de bosjes liggen”.*

*Respondent 3*

Anonymity and not being able to attribute information to a source can be reason for editors to not publish a story (respondent 9). For journalists, it becomes a challenge to convince people to allow them to use their name for the story. The fact that professional media try to attribute information to their sources is what distinguishes them from other platforms, like the internet. You cannot just write down what people say, verify after, and rectify if it turns out you were wrong (respondent 7).

The state of affairs regarding attribution is fair. Although there is a lack of consensus, attribution does seem to play a role in determine whether an article can be published or no. Throughout the discussion of the other standards, attributions have often proven to be the first standard to be discarded.

### **6.3.10 Conclusion**

The values discussed in the framework seem to be influential in the process of writing about integrity affairs. There is a strong consensus that verification is a critical condition for quality journalism. Especially nowadays the pressure on journalists to publish fast and entertaining news is high and puts journalistic values under pressure. It seems essential to the watchdog function as false claims of unethical behavior could potentially undermine the public's trust. Exploring all sides of a story is similarly valued. Allowing someone who is accused of misconduct to respond to the accusations is a basic journalistic principle. The responsibility to protect the identity of a source seems not to be absolute. It has the potential to conflict with values like verification and proving the plausibility and credibility of sources. It also puts the pressure of the relationship of the journalist and the informant, because informants fear that their identity will be discovered. The desire for anonymity seems to be increasing and expanding to ordinary citizens. No longer are people willing to use their name because they are aware that their name will remain on the internet forever. When journalists succeed in convincing multiple, independent sources to let them use their name in their publication, while being able to verify the claims and explore all sides of the story, indeed, they have proven the plausibility and credibility of their sources. But this is not possible. Awareness towards motives allow journalists to safeguard their independence. Motives are indicators of the caution needed throughout the process. Dodgy motives increase the necessity of thorough verification and exploration of all sides of a story. Sensitivity to justifiable consequences is a concept that is very much embedded in the other values. Whether the consequences are justifiable is inherently related to the person in question, if the claims can be fully verified, and a public interest is served. Omission and attribution are values that are considered the least important. Attribution is easily discarded if it means that an article can be published that covers local integrity affairs with significant social value. Omission seems to be a value that can be used to as a bargaining tool between the informant and the reporter.

However, even though respondents say that they hold these standards in high regard, one critical voice mentioned that rectification happens and thus there are instances in which the values are compromised. Respondents indicated that due to challenges posed by social media platforms it has proven to be impossible to be the first and reliable and independent. This means that standards like verification and exploring all sides of a story are under pressure.

The fifth reason for concern states that local media are not sufficiently able to check their sources. Based on what the respondents in this study have said, it seems that local media are dedicated to properly checking their sources and are, to a large extent, able to do so.

## 7. Conclusion and discussion

### 7.1 Conclusion

Whistleblowers have proven to be vital to the disclosure of misconduct in government. But even those who are considered true whistleblowers, like Ad Bos, never seem to be truly innocent. After all, he was charged with bribery. Not everyone who discloses misconduct is necessarily a whistleblower, for example Hasselt. He posed as a whistleblower, but not everyone agreed that what he disclosed, is actual misconduct. Nevertheless, his actions led to Hoes' resignation. The consequences to the actions of informants are much like the consequences of someone blowing the whistle, however, they do not necessarily serve a public interest.

The aim of this study was to explore the role of informants in the disclosure of local integrity affairs via the local media through the question: how can we appraise the role of informants in local news stories on integrity affairs in local governments in The Netherlands through a democratic- and journalistic due process framework? The answer is embedded in the answers to three research questions.

The first question was: how many news stories on local integrity affairs appear in local media based on informants and what is the nature of their coverage? Over the years, an increase in the number of integrity affairs that have been disclosed through the local media can be observed. However, the data does not explain what caused the increase in the reported affairs. The integrity paradox provides a partial explanation, but the increase between 2007 and 2009, from 20 to 53, suggests that there might be more to it than just increased attention into the matter. The articles cover a variety of violations, actors, and consequences. Most of the accusations come from within the organization. The consequences of a publication can be broad. In most cases an (external) investigation is conducted. In only a few cases it leads to a discussion on the role of integrity or the adjustment of integrity policies. However, this study only addresses reported consequences, which means that any consequences that have not been mentioned in the article, are included in the analysis.

The second question was: what is the role of the informant in local news coverage of local integrity affairs? News products are as good as the quality of their source, which is why the role of the source is essential. According to the respondents, journalists indeed depend on sources, but it is them who lead Gans' (1980) metaphorical tango. Leaks, tips and rumors, are vital sources of information that can lead to the disclosure of misconduct. But they are never enough. Journalists are skeptical of the information sources share with them. They make sure that they are not being used as conveyors of misinformation. Even if the information seems authentic and the source is trusted.

The third question was: to what extent does the treatment of informants by journalists meet the standards presented in the due process framework? Based on the responses by the journalists included in this study, the treatment of informants satisfies the standards presented in the due process framework. The due process framework, a result of the integration of public administration literature and media literature, prescribes the values and behavior that can be reasonably expected from journalists who work with informants. It is important because the way journalists deal with informants says something about the state of affairs of the local watchdogs. In general, all nine values in the framework are held in high regard, although some more than others. Journalists are dedicated to provide the best news product they can, and they strive to live up to all values as much as they can. This dedication is what separates them from others and ensures that they are, still, a qualitative watchdog to local government. However, some values conflict, like protecting the identity of the

source and attribution. In that case, what prevails is the duty to inform the public, even if that means that they become less transparent.

So, how can the role of informants in local news stories on integrity affairs in local governments be appropriated? Results suggest that informants are vital sources of information about the quality and daily functioning of local governments. Whistleblowers thus aren't the only actors who disclose misconduct, although it is a group which receives a lot of attention, both academically and socially. Contrary to whistleblowers, the range of informants' motivations, actions and consequences are unbound. Therefore, assessing the role of informants solely based on these characteristics is beyond the scope of this study. Instead, this study has focused on the dynamics between the media and the informants. After all, the media are the one institution that stands between the public, the informant and the government. They have to weigh whether the information will benefit or harm the public. Both the media and organizations have experience in working with whistleblowers and have captured these experiences in codes of conduct. To appropriate the role of informants we can draw from the experiences of working with whistleblowers. The result is an integrated framework based on media- and organizational literature that provides a lens through which the contribution of an informant can be assessed. The values included in this framework prescribe how journalists should treat informants to prevent misinformation or political games to reach the public with all its consequences, while being considerate of the interests of other people involved. The framework has proven to be very useful in exploring and mapping out journalists' perceptions towards working with informants. It led to a systematic exploration of the perceptions of the role of informants in local news stories about integrity affairs, and exposed some of the risks inherent to it. The conclusion is that informants are indispensable, however working with them requires caution. After all, if not the informant, who is going to inform the media?

## 7.2 Discussion

In the introduction, five reasons for concern about the involvement of informants in the disclosure of local integrity affairs by the local media were presented. The reasons for concern have been explored throughout this study. Based on the data that has been used for the analysis, they can be confirmed or refuted.

*(1) There seems to be an increase in local integrity affairs.* Indeed, we have seen an increase in the local integrity affairs over the years, but the increase cannot solely be attributed to an actual increase in affairs. In addition, the absolute number of affairs is low. Therefore, the first reason of concern is refuted. *(2) Dutch media are essential to the disclosure of misconduct, but they are dependent on sources or informants.* Local media play a key role in the disclosure of local misconduct. Journalists feel that other institutions tasked with watchdogging the government often lack the capacity or guts to do so. The first part of the reason for concern can be confirmed. Journalists depend on their sources for information. In their turn, sources depend on journalists. It seems that journalists have the upper hand, since they have the power to decide what the story will be and how it will be framed. The second part of the statement is thus true, but not necessarily a reason for concern. *(3) Sources can be unreliable and the information they provide can never be used as it is.* Journalists state that everyone who shares (confidential) information has an interest. This does not necessarily make them unreliable, but it means that journalists need to be cautious, to prevent malicious accusations from slipping through the cracks. Fortunately, journalists seem dedicated to providing a quality news product based on facts rather than rumors. Therefore, the statement is confirmed, but it is not a reason for concern. *(4) Due to the media crisis, the position of the local media is undermined.* This is a reason for concern. The media crisis has hit local news agencies hard. Budget cuts and competition of the

internet put pressure on the local media. Providing a qualitative news product and to be the first and thorough is simply impossible. Professional journalists seem to prefer quality over speed. Yes, they experience challenges and pressure, but the local media are still out there, watchdogging the local governments, and inspiring change – in policies for example. They are still able to fulfil their watchdog position, for now. However, the local watchdogs are important and we must make sure that they are able to fulfil that function in the future. Therefore, rather than undermining the local media, we should foster them and even make them stronger. (5) *In their current state, local media are not sufficiently equipped to check the information provided by unreliable sources.* The final reason for concern can be refuted, although not entirely. Local media are dedicated to discovering the truth. Thorough journalistic research is essential when working on integrity affairs. In fact, this is what distinguishes them from their competitors – like the internet. The purpose of disclosing misconduct is to improve the quality of government. Presenting false information can have the opposite effect, and harm government. But challenges posed by competition and the unrealistic expectations of the public that result thereof, put pressure on the media. This pressure is reason for concern, because it can easily result in the deterioration of the quality of a news product. However, the fact that respondents acknowledged the challenge and feel that their process is what distinguishes them from others, is reassuring.

Results are always a product of the methodology, and that is no different for this study. For the content analysis, only those articles were selected which were relevant to the question. This means that only articles that address a local integrity affair in which an informant played a role were included. Because the second phase of data collection used the data from the first phase as a sampling frame, the first step has had a great influence on the direction of the study. Due to the sensitive nature of the topic, it might very well be that the respondents mainly focused on best practices and gave socially desirable answers. The positive picture painted in this study, based on the input from the respondents who participated, might thus very well be too positive. Future research will have to address the topic to see whether the outlook is as positive as it has been made out to be. Similarly, the framework maps out how journalists think about the values and how they (try to) implement them, however, it does not focus on the actual implementation: it only considers what journalists say they do. The fact that newspapers occasionally rectify claims presented in publications suggests that there are differences amongst journalists when it comes to weighing the values – the data does not show these differences. This is a limitation of the use of this framework in this study. However, using the framework in different research settings might minimize this shortcoming. Furthermore, the results from this study cannot be generalized beyond the sample, due to the exploratory nature of the study and the methodological issues that arise from the chosen sampling techniques. There is no reason to assume that the samples are representative or random. This means that the results are an indication of what reality could be like. During the interviews, it became clear that to protect the source's identity, journalist's sometimes purposely fail to attribute information to its source. This means that it is very likely that the data from the quantitative content analysis is not reliable. Similarly, a flaw inherent to content analysis is that it overlooks what has been omitted. Data from the interviews suggests that omission can be a strategy to protect sources. It implies that when analyzing the role of informants in local integrity affairs, a quantitative content analysis alone is not sufficient, and it might not be the most suitable method.

The study is part of a group of studies into (local) integrity affairs, and so far, few reliable results have been found. Partly because of the nature of the phenomenon studied. Partly because the research that studies it, especially in the context of local government, seems to be falling behind. The results found in this study are different from the results found in earlier studies, which can be attributed to the fact

that every study has a different focus and applies a different methodology. Not all studies applied the same categories for integrity violations, which makes it hard to compare results and draw reliable conclusions. Future research should ‘stand on the shoulders of giants’, and try to build on previous studies, for example, by using the same categories. This way a body of knowledge can be built with data that can easily be compared. Other questions for future research include how do the consequences of the disclosure of misconduct (through informants or not) affect organizations, and how they learn from them (if they do)? What drives informants and what is their intention with the disclosure of misconduct? Similarly, studies into the relation between the accused and the informant might provide insights into the dynamics of the informal control mechanisms.

The integration of the public administration literature and the media literature to understand the role and treatment of informants in the disclosure of local integrity affairs through the media, is unique. It has shown that there are many similarities between the debates, yet they remain separate. The integration resulted in a framework to assess the role and treatment of informants, which is relevant to both public administration and media. The framework has proven useful in assessing the role of informants but to determine its true value it would have to be used in different research settings as well. The way it has been established and applied in this study facilitates conversations about the values and examples, but fails to incorporate a critical reflection and way to test the claims made by respondents. Although there is a decent body of literature regarding the formal mechanisms to disclose misconduct, like whistleblowers, there is hardly any knowledge about the informal systems. Since the contribution of informants has proven to be relevant to the disclosure of misconduct in local government through the local media, and thus relevant to safeguarding the quality of government, it is highly relevant to explore this further – this study is only the first step.

To protect the quality of local government it is important to safeguard both formal and informal control mechanisms. Whistleblowers have been thoroughly studied and there are laws that protect their decision to foster their contributions. As the results in this study have suggested, it is not easy to do the same for informants because there is so much variability in terms of their actions and contributions. However, some of the contributions have proven to in fact disclose relevant misconduct in local government. One way to at least facilitate these contributions is by creating a strong local media that have the time and resources to thoroughly explore information that comes to them through informants. The media crisis has hit the local media hard, and with the competition they are experiencing from alternative platforms, an active investment in the growth to strengthen of the sector might be needed.

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