



# The Unexpected Virtue of Ignorance? Whistleblowing within the Context of State Capture in South Africa

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## Abstract

Corruption has been a prevalent phenomenon in South Africa for an extended period, but it was during the presidential reign of Jacob Zuma that corruption evolved into state capture. South African whistleblowers were instrumental in detailing the breadth and depth of state capture during Zuma's presidency. Their disclosures brought the epidemic of state capture into the public eye, making citizens aware of the crippling of state-owned enterprises and the brazen looting of state resources. The whistleblowers, however, did not

expect the backlash they would receive from the wrongdoers and their employers. This article presents the experiences of these whistleblowers, emerging from semi-structured interviews conducted with whistleblowers and civil society, as well as document analysis of relevant sources. The whistleblowers' disclosure experiences were marred by various forms of retaliation: work-related retaliation; social retaliation; physical retaliation; and a form of retaliation identified from the narratives of South African state capture whistleblowers—retaliatory lawfare.

## Introduction

The title of this paper borrows from Alejandro González Iñárritu's Oscar-winning film— *Birdman*. The subtitle of *Birdman*, *The Unexpected Virtue of Ignorance*, presents the dilemma of the film's protagonist. The protagonist, Riggan, was ignorant of the difficulty of the task ahead of him. It is because of this ignorance that he was able to produce something meaningful, reinventing his domain of the dramatic arts. Not knowing that he would achieve something great resulted in him unconsciously approaching his domain. This lack of consciousness of the magnitude of what he would achieve would lead him to greatness. However, for Riggan, this greatness was achieved at a substantial personal cost as he unsuccessfully attempted to commit suicide on stage only to wake up in a hospital with a surgically reconstructed nose. Though, in retrospect, maybe this trade-off was well worth it for Riggan. He exchanged his nose for applause, with critics lauding his attempted suicide as an avant-garde theatrical performance.

Just as the theatrical stage for Riggan was a difficult one, so too was the stage for South Africa. The stage that was set was one of the country grappling with state capture, which is when private actors and corrupt state officials exert full control over state affairs and institutions, for the purposes of personal gain (Desai, 2018: 501; Fazekas and Tóth, 2016: 320). State capture is a much more complex form of corruption, which leads to further reaching negative consequences for the state. Whistleblowers were instrumental in exposing state capture, but they were just as ignorant as Riggan. When they decided to blow the whistle on state capture, they were unaware of how important their acts would be. The outcome for South Africa was significant, as the whistleblowers' disclosures exposed that state capture reached the top echelons of the South African state. Their disclosures exposed a deep crisis that has affected the vast majority of South Africans, negatively impacting the economy with money siphoned out of state-owned enterprises (SOEs), such as Eskom, Transnet, South African Airways (SAA), SA Express and Denel, for the personal benefit of a few. They also exposed that state capture involved many actors across several institutions— illustrating just how far-reaching state capture in South Africa had become. Their acts of disclosure set in motion the impetus for positive change, with Jacob

Zuma having been compelled to resign as president of South Africa. Commissions investigating the allegations of wrongdoing emerged, and the broader South African public became aware of state capture.

The actions of whistleblowers would put in motion a chain of events that would promote accountability in South Africa. A problem arises in that the whistleblowers were unaware of the virtue of their actions. When they decided to act, they had no supportive audience—South African citizens were generally not even familiar with the meaning of the term 'state capture'. Yet, this changed once the whistleblowers' audience began to appreciate them. But these whistleblowers are in the same predicament as Riggan: they exchanged their noses for applause. They were lauded by broader South African society for their actions, which aided in detailing the depth and breadth of state capture. However, they have suffered immensely by being subjected to physical, social, and occupational retaliation because of their disclosures. The whistleblowers were not cognisant of the severity of the impact their disclosures would have on their lives. Only civil society stood on the stage with them by providing them support. It is in light of this trade-off (contributing to the advancement of South Africa's democracy against huge personal costs), that this article seeks to detail the contributions made by South African whistleblowers and the subsequent detriments they suffered.

### State capture in South Africa: A synopsis

Corruption entails the misuse of state positions for personal gain, being an opportunistic action that is enacted by a loosely connected network (Bagashka, 2014: 166; Bhorat, Buthelezi, Chipkin, Duma, Mondli, Peter, Qobo, Swilling, and Friedenstein, 2017: 5). Corruption has been prevalent for a long time in South Africa. It dates back to apartheid but appears to have grown in prevalence after 1994, with it reaching epidemic proportions with the arms scandal (Hyslop, 2005; Lodge, 1998: 187; van Vuuren, 2017). However, the relationship between the former South African president, Jacob Zuma, and the Gupta brothers plunged the country into state capture.

State capture is far more perfidious than corruption.

It distinguishes itself from corruption because of its complexity and higher degree of organisation, whilst also resulting in far worse consequences than corruption; moreover, private actors will exert full control over the state's integral elements for their own benefit (Desai, 2018: 501; Fazekas and Tóth, 2016: 320). The influence of private interests is illicit and non-transparent, negatively impacting the public good (Fazekas and Tóth, 2016: 320; World Bank, 2000: 3).

When unchecked, state capture reaches epidemic proportions, with the wrongdoers (namely the corrupt politicians and private corruptors) assuming complete political control, complicating the everyday lives of ordinary citizens due to moral erosion and the destruction of the rule of law (Longhurst, 2016: 151–152). Consequently, countries undergoing state capture suffer devastating economic detriments (Smith and Thomas, 2015: 783). State capture appears to be more abundant in transitional and developing economies (Bieber, 2003: 39; Longhurst, 2016: 151; Myburgh, 2017: 4; Uzelac, 2003: 113). This is typically because states in transition possess an inability to achieve sustainable transformation, which stems from contextual factors, structure, and geopolitical competition (Longhurst, 2016: 151). If the process of transformation is incomplete (with the state still undergoing transformation), interference and irregularities come into play, which leads to the capturing of a state (Uzelac, 2003: 113). South Africa is one such state having gone through a triple transition (Uys, 2014: 205–213) and, as a result, has become susceptible to state capture (Bester and Dobovšek, 2021: 85). The transition occurred on three levels: political (shifting towards democratic rule), economic, and social (Uys, 2014: 205–213). The country underwent a political transition through the implementation of an electoral democracy with elections becoming free and fair in 1994, a progressive post-apartheid Bill of Rights, and a Constitutional Court for protecting South Africa's constitutional democracy (Uys, 2014: 206). The economic transition sought to fundamentally transform the economic order of the country, with several macro-economic restructuring principles applied in 1994 which were replaced with the Growth, Employment and Redistribution (GEAR) strategy in 1996 (Uys, 2014: 209). Several replacement strategies and plans continued to be implemented throughout the 2000s (Uys, 2014: 209–211). The social transition was

concerned with racial reconciliation and the creation of Nelson Mandela's vision of a 'rainbow nation' based on tolerance, plurality and diversity (Uys, 2014: 212). Though, as the country was undergoing a transition, it appeared to be experiencing a fragile stability (Beall, Gelb and Hassim, 2005: 682).

This fragile stability coupled with the threat of state capture poses a risk for any country to descend into a fragile state. A fragile state is one where the fundamental structures of the state are deteriorating, vulnerable or broken (Nay, 2013: 327). South Africa is currently ranked within the warning category on the Fragile States Index (Fragile States Index, 2022). This should present a concern for powerholders, namely state officials, and 'ordinary' citizens in South Africa, particularly considering the country's history of state fragility and dysfunction (Beall et al., Greffrath, 2015). The alleged key player in South Africa's state capture, the Gupta brothers—Ajay, Atul and Rajesh, arrived from India in 1993 and began to establish relationships with high-ranking government officials (Basson and du Toit, 2017: 56–61; Pauw, 2017: 20). From 1998, the Zuma faction began to benefit from the Gupta family economically. When Zuma eventually assumed presidency, the Gupta family began receiving preferential treatment with lucrative state contracts being conveniently awarded to them (Basson and du Toit, 2017: 59; Desai, 2018: 500; Shoba, 2018; Sundaram, 2018). Cabinet appointments were reshuffled at will to appoint people that would aid

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the Zuma and Gupta families in their capture of the state (Desai, 2018: 500; Madonsela, 2016: 86–87; Ntsabo, 2019). Once it became evident that crucial South African state institutions had been captured, other actors jumped on board to further the degree of state capture in the country. Institutions such as the Department of Correctional Services (Styan and Vecchiatto, 2019: 39) and the Public Investment Corporation (PIC) were, then, captured (Dlamini, S., 2019; Mahlaka, 2019a; Mahlaka, 2019b; PIC Commission, 2019), and this was executed not by the Gupta family but by newly emerging players with links to the African National Congress (ANC).

Whistleblowing, which is when former or current organisation members disclose information regarding 'illegal, immoral or illegitimate practices under the control of their employers, to persons or organisations that may be able to effect action' (Near and Miceli, 1985: 4), positioned itself as a mechanism to combat state capture.

## Method

A qualitative research methodology consisting of two research methods was employed to examine the experiences of South African state capture whistleblowers in light of their disclosures. The dominant information source for the study came from semi-structured interviews with whistleblowers and members of civil society organisations. A total of fourteen participants were interviewed, namely: six whistleblowers and eight members of civil society organisations that supported whistleblowers. The members of civil society organisations that were interviewed all formed part of organisations that were instrumental in supporting whistleblowers, particularly organisations that aided state capture whistleblowers in communicating their messages.

Non-probability purposive sampling was employed when selecting the participants. Purposive sampling proved useful as the participants were easily identifiable, with whistleblowers' identities being in the public domain because of their disclosures. The identities of members of civil society who were directly involved in assisting the whistleblowers in amplifying their messages regarding state capture were also available in the public domain. Once having gained initial access to the participants (with the initial sample consisting of

seven participants), snowball sampling was then used to secure access to additional participants. Furthermore, access to some high-profile whistleblowers was secured via various mutual acquaintances.

The semi-structured interviews were supplemented with document analysis. This entailed the analysis of digital and print news articles, books discussing the exposure of state capture in South Africa, and official documents. The text data was used to corroborate the narratives presented by the participants. It also served the purpose of further detailing the experiences of the whistleblowers, and gaining insight into the experiences of whistleblowers which were inaccessible for this study. After gathering the data, thematic analysis was used to determine recurring themes emerging from the interviews.

## Whistleblowers' state capture revelations

Several whistleblowers, aided by civil society, were instrumental in exposing state capture in South Africa. Their disclosures exposed the breadth and depth of capture in key state institutions. They were not acting together but rather independently, in varying temporal and spatial contexts. They were, however, bound by their contribution to the state and their experiences of retaliation. This section presents each whistleblower's individual contribution to the state capture revelations.

Glynnis Breytenbach's disclosure occurred during the early stages of state capture. While occupying the position of prosecutor at the National Prosecuting Authority (NPA), she blew the whistle on Nomgcobo Jiba and Lawrence Mrwebi's interference in NPA proceedings (Breytenbach and Brodie, 2017: 155–158). Jiba and Mrwebi were undermining the capacity of the NPA to function adequately. They abused their positions of power to protect individuals within their network, such as the then-head of Police Crime Intelligence—Richard Mdluli (Breytenbach and Brodie, 2017: 154). Breytenbach's disclosure shed light on the capture of the criminal justice system, which proved to be even more significant as allegations of state capture began to emerge.

Stan and John are two anonymous whistleblowers. As they remain anonymous, they were inaccessible and, thus, Branko Brkic of the Daily Maverick and Stefaans Brummer of amaBhungane were interviewed to gain



insight into their experiences, with several news articles also being consulted. The two whistleblowers were in possession of 300,000 emails that documented the corrupt relationship between the Gupta brothers, Duduzane Zuma (Jacob Zuma's son), heads of South African SOEs, international and local companies (Dlulane, 2018; Head, 2018; Ramphele, 2018). They provided this information to South African human rights lawyer Brian Currin and the independent media outlets amaBhungane and the Daily Maverick. The media outlets helped the whistleblowers make a public disclosure of this information, aptly named the Gupta Leaks. The Gupta Leaks would eventually serve as evidence in the Judicial Commission of Inquiry into Allegations of State Capture, which was a public inquiry established by Jacob Zuma in January 2018 to investigate allegations of state capture, corruption, and fraud within the South African public sector.

Mosilo Mothepu, who was interviewed for this study, was the CEO and Director of Trillian Financial Advisory. She became aware of Trillian's close ties with the Gupta family. Trillian had favourable contracts with the SOEs Eskom, Transnet, South African Airways (SAA), SA Express and Denel. Trillian management also possessed knowledge of ministerial reshuffles that were to occur, which they intended to use to establish a business advantage for the company. She resigned from Trillian three months after becoming its CEO and later blew the whistle to the Public Protector, Thuli Madonsela, who was compiling the State of Capture report (Mothepu, 2021: 85; 89–96). Subsequently, Bianca Goodson also blew the whistle at Trillian. She added further credibility to Mothepu's claims, supporting the allegations that dubious relationships existed between Gupta associates and the Zuma regime (Wiener, 2020: 261–262).

Cynthia Stimpel, who was also interviewed for this study, was the group treasurer of SAA when she blew the whistle on attempted capture within the flag carrier airline. She contested a R256 million advisory services deal to be signed with a service provider she deemed suspect. Having compared quotes from banks that would offer the same services as the suspicious provider, at much lower costs, she blew the whistle internally in an attempt to stop the transaction. With her internal disclosure being ignored, Stimpel was forced to go public and enlisted the help of the media and a non-governmental organisation (NGO)

to stop the deal from occurring (Stimpel, 2021: 153).

Joanne, a whistleblower who opted to remain anonymous for this research, was on the board of an important SOE. She testified at a commission of inquiry that the SOE was undergoing state capture, with the ruling ANC planting their agents to control the organisation. State funds were misappropriated, with bonus structures being manipulated in favour of those in powerful positions. Furthermore, the institution was to undergo an unnecessary IT structure modernisation which would have likely opened the door to further looting of the SOE.

Altu Sadie, the CFO for Cards and Electronic banking at Ecobank Transnational Incorporated (ETI), testified at the PIC Commission regarding wrongdoing at the West African bank. His testimony exposed the severity of capture at the PIC (Sadie, 2019: 1–36). He questioned the PIC's investment into Ecobank, reasoning that investing in a bank with a poor credit rating was an unnecessary risk. Anonymous whistleblower, James Nogu, shed further light on issues within the PIC. Nogu disclosed that board members and management of the PIC were engaging in impropriety and corruption (Dlamini, P., 2019). In addition, Simphiwe Mayisela revealed further improprieties occurring at the PIC. After a short period working as the head of IT Security at the PIC, he was designated to uncover the identity of whistleblower James Nogu. A series of events brought Mayisela into contact with the Cyber Crime Unit of the Hawks, through which he gained super admin access at the PIC. Having access to highly secure data, he determined that Nogu's allegations were, in fact, true, and he supported Nogu's allegations by making his own disclosure.

Angelo Agrizzi, who was the COO for Bosasa, revealed that the Department of Correctional Services was captured. Bosasa accomplished this by gifting bribes and luxury items to government officials in exchange for contracts with the Department (Styan and Vecchiato, 2019: XI). Agrizzi's disclosure highlighted a highly-flawed public procurement system.

The societal impact of the whistleblowers' disclosures has been immense for South Africa. With the severity of corruption and capture becoming public knowledge, their disclosures raised general public awareness of how severely compromised the country

was across many levels. It was likely the eleventh hour before South Africa descended into a fully-fledged fragile state, with the whistleblowers' revelations raising the red flags that would stop that descent. State capture has undeniably impacted the South African economy, with investor confidence waning, which has greatly impacted the ordinary South African citizen's life. However, without the whistleblowers' testimonies, the Zondo Commission would not have been promulgated. The Zondo Commission played an integral role in comprehensively detailing state capture and fingering the wrongdoers. It also set forward recommendations to combat corruption and capture within the state (with the hope of recovering the economy), whilst commending the role of whistleblowers. Ultimately, the role of South African state capture whistleblowers was one which led to an increased pressure for statesmen to be held to account for their actions and, thus, contributed to the advancement of democracy. The whistleblowers have all, unfortunately, suffered retaliation despite the numerous positive ethical benefits for society which have flowed from their disclosures. This study has identified four types of whistleblower retaliation.

### Work-related retaliation

Work-related retaliation is when organisations engage in tactics of normative violence (Kenny, Fotaki and Scriver, 2019: 812), which is a form of 'violence that is socially defined as legal, acceptable or moral' (Ball-Rokeach, 1980: 45). Work-related retaliation can vary 'from subtle indications of displeasure to drastic victimization' (Uys, 2022: 116). It aims at discrediting and destroying the whistleblower by using workplace-related tactics such as blacklisting, dismissal, transfers to another section, personal harassment, character assassination, and the implementation of disciplinary proceedings (Cortina and Magley, 2003: 248). Workplace bullying can also occur, which entails 'repeated and persistent patterns of "negative" workplace behaviour' (Keashly and Neuman, 2008: 2). Work-related retaliation is institutionally formalised by recording it in the whistleblower's employment records (Miceli, Near and Dworkin, 2008: 15).

Work-related retaliation often results in whistleblowers being dismissed or suspended from work, or undergoing a process where their eventual dismissal would be legally justified (Bashir, Khattak, Hanif and

Chohan, 2010: 8–9; Uys 2022: 116). Whistleblowers often end up bearing that work-related stigma and struggle to find employment post-disclosure. As work-related retaliation comprises normative violence, rejection and 'acute mental strain' mark the effects of such forms of retaliation (Kenny et al., 2019: 812).

### Disciplinary proceedings

Mayisela, who was interviewed for this study, was one such state capture whistleblower that experienced work-related retaliation. He was suspended without a charge and underwent a disciplinary proceeding after he blew the whistle. After almost ten years at SAA, Stimpel was also subjected to suspension. Management at SAA cited 'insolence' as a reason for her suspension. The citation for insolence emerged because she accused the SAA board of unethical behaviour, thereby allegedly committing misconduct. Stimpel possesses evidence, in the form of written messages, that her interaction with the board members regarding the wrongdoing was respectful. She felt that the citation of 'insolence', which provided the basis for her suspension, was unlawful.

Bureaucratic citations within organisations are often manipulated to retaliate against whistleblowers. Stimpel recalled that SAA cited her failure to adhere to the company's 'internal anonymous policy' as one of the reasons for her suspension, a common tactic employed to enact work-related retaliation against those who expose wrongdoing. Stimpel explained that there was a prescribed process for reporting such serious misconduct, which involved making a disclosure on a Deloitte-operated website. She, however, felt uneasy about following this procedure because it would ultimately bring her disclosure to the attention of the very individuals she was reporting on—the board of directors at SAA. Instead, she chose to write a separate email to Deloitte in an attempt to prevent her disclosure from reaching the SAA board. Her decision to bypass this process resulted in work-related retaliation being directed towards her.

Breytenbach faced internal disciplinary charges that were proven to be incorrect. She was also side-lined at work. This form of retaliation affected Breytenbach adversely, despite the fact that she continued to earn a large salary while doing no work. It negatively impacted her workplace experience as she wanted

to be a constructive member of the NPA and not a passive 'employee':

'So, I earned a massive salary, did nothing, it sounds wonderful, but it's not really, and at some point, you know, you become a little agitated and earning such a massive salary and doing nothing to earn it.'

It was after experiencing this side-lining that Breytenbach decided to leave the NPA. In contrast, some whistleblowers are fortunate and willing to be reinstated in their original work roles after retaliation. Joanne still remains at the SOE despite having testified at a commission against what she perceived to be attempts at capturing the organisation. She was, however, forced to resign from the board of directors briefly but later occupied the same role again. After her disclosure, Joanne noticed that potential whistleblowers became fearful of losing their jobs or not being promoted. According to her, employees at the SOE were 'disarmed' and 'intimidated' as a means to dissuade future whistleblowers.

### Loss of work

As the examples of other whistleblowers in this study showed, work-related retaliation can also follow a more immediate process. Some organisations bypass the steps of suspension and hearings or suggesting resignation, and enforce an immediate dismissal. Initially, Sadie's superior shielded him against retaliation. However, when she left the organisation, Sadie's buffer disappeared, and the wrongdoers engaged in work-related retaliation against him. The immediate form of retaliation that he faced was dismissal.

After the dismissal, Sadie's life was irreversibly changed. He lost a very good salary, children's school fees being paid for by the organisation, a non-contributing medical aid, and a company-paid cellular contract. He felt that he had 'lost just about everything' while the wrongdoer continued 'having a fantastic time getting huge pay in pounds.' Looking back, Sadie maintained that whistleblowing is 'the worst thing you can do.' His point of view is understandable because of the financial burden resulting from his dismissal. Sadie lamented the struggle of having to explain to his children how he can no longer work

in the banking sector, how they have no money, are unable to purchase commodities and cannot afford to go on holiday. In retrospect, Sadie concluded that ETI used the strategy of dismissal to dissuade people from bringing wrongdoing within the firm to the fore:

*'They don't want whistleblowers. The thing is, they actually want examples to show people to not whistleblow, to not take on. Do not report on the management because we will find you, and we will get rid of you.'*

### Being rendered unemployable

Whistleblowers commonly experience work-related retaliation affecting their professional lives outside of the institution they made a disclosure about. This entails rendering the whistleblower unemployable, the apex of occupational detriment.

The professional careers of whistleblowers are destroyed, with their disclosures haunting them in their search for prospective employment. Goodson said that her life was 'ruined' since blowing the whistle on Trillian (Comrie, 2017), and she was removed from her post-Trillian job at the accounting software firm Sage. This occurred in light of her pending disclosures regarding Trillian and its involvement in perpetrating state capture, as Sage believed that Goodson's disclosures could damage the company's reputation (van Zyl, 2017).

Whistleblowers in South Africa are often not even considered for positions because of having previously made a disclosure. Sadie said that he became unemployable due to the betrayal by the very institution he attempted to protect. He said he experienced significant mental strain when his ex-employers accused him of being a disgruntled former employee. He felt that his name was being 'dragged through the mud,' and that he was being discredited. This retaliation had a significant impact on Sadie's further career, making him an undesirable employee.

Mayisela suffered significant occupational harm due to his disclosure, which irreparably damaged his career. Similarly, Stimpel encountered comparable occupational repercussions that have left her unable to secure employment:

*'You suffer the loss of your current job. You suffer the loss of any future income because when clients, future prospective companies Google you, they see the main headline. Mine says SAA Defiant Treasurer, and you read further, and it says misconduct, so who is going to hire you?'*

This work-related labelling has made it 'very hard to do business with some companies,' according to Mayisela. He felt 'like someone who has got a stigma... or a cloud hanging over him.' Mayisela continues to bear the negative stigma associated with being a whistleblower, which has profoundly and adversely impacted his professional trajectory. He explained that companies tend to err on the side of caution and prefer candidates with no history of whistleblowing. As a result, he is often disregarded by prospective employers. In the past, Mayisela had been a highly sought-after candidate during job interviews, with job offers almost guaranteed. This was evident when he was headhunted for positions throughout his career, including his recruitment by the PIC. However, he now encounters significant difficulties, if not insurmountable barriers, in securing employment. Consequently, Mayisela found himself compelled to establish his own consulting firm, a path he was forced to take.

### **Work-related ostracisation**

Ostracisation is a common informal consequence that whistleblowers have to deal with (Åkerström, 1991: 44). When a whistleblower experiences ostracisation, they end up feeling on the cusp of society, rejected, and abandoned.

Whistleblower ostracisation starts in the workplace. Shortly after Stimpel's disclosure, derogatory workplace electronic correspondence about her was mailed to her colleagues, resulting in them ostracising her. She sensed that they wanted her 'out of the way.' None of the ten team members in her department asked her whether she was coping with her post-disclosure situation. Moreover, they did not even display negative emotions towards her. Colleagues distanced themselves from her, telling her they were warned not to talk to her, and she was continually 'kept out of the loop.' This situation exerted immense mental strain on Stimpel.

In interviewing Mosilo Mothepu, it came to the fore that ostracisation often leads to whistleblowers experiencing feelings of abandonment and loneliness. This starts when the whistleblower first comes out with their disclosure and lasts until well after their disclosure. Out of 250 employees at Trillian, only Mothepu and Goodson blew the whistle on perceived wrongdoing within the organisation. Mothepu felt alone and abandoned when she made her disclosure. She said that her former colleagues resented both her and Goodson and treated them with disdain. Mothepu argued that others stood by and did nothing because wrongdoers are well-connected, as they are in possession of social capital and resource power. The wrongdoers are able to recruit loyal subordinates that offer support to the wrongdoers at the top of the hierarchal structure. Therefore, it becomes difficult to stand up against people with that amount of position power, which often dissuades others in standing up against the wrongdoer and supporting the whistleblower.

Breytenbach felt that the sense of abandonment stems from a lack of collegial support, which she referred to as the 'weakness of individuals.' This means that people are not willing to expose themselves and refrain from taking riskier actions. This is why others took no action to support Breytenbach's claims when she blew the whistle. In social science terms, we refer to this as the bystander effect—when people do not take action against a wrongdoing because they feel that another person will do so (Forsyth, 2014: 229; Gao, Greenberg and Wong-On-Wing, 2015: 86). This occurs because 'perceived individual responsibility is decreased' (Gao et al., 2015: 86); in other words, a diffusion of responsibility transpires.

A prominent South African journalist interviewed for this study, Mandy Wiener, added that those individuals who succumb to the bystander effect typically use the excuse that it is the government's responsibility to 'do their job.' With these individuals, a diffusion of responsibility occurs, shifting responsibility to the government to effect action. The diffusion of responsibility is one socio-cognitive factor that contributes to the bystander effect (Forsyth, 2014: 229). It occurs when individuals in a group do not feel personally responsible for taking



“ Ostracisation is an informal consequence that whistleblowers have to contend with not only in their workplace but also in their lives beyond the work environment. ”

action, as they (wrongly) presume that other group members will engage in action (Darley and Latané, 1968: 377).

### Social retaliation

Social retaliation also accompanies work-related retaliation (Uys, 2022: 118) and is an informal and undocumented process (Miceli et al., 2008: 14–15). When social retaliation occurs, the whistleblower is stigmatised as having negative social characteristics (Bjørkelo, Ryberg, Matthiesen and Einarsen, 2008: 71). As such, the whistleblower experiences negative labelling (Miceli et al., 2008: 128–129), and social ostracisation (Davis, 1989: 5; Rothschild, 2008: 890), feeling disillusioned and humiliated (Uys, 2022: 118–119). These negative practices can entail referring to the whistleblower as a troublemaker or outsider and isolating them by closing ranks (Cortina and Magley, 2003: 248). Whistleblowers end up being excluded from meetings, and co-workers whom they previously considered friends now avoid them (Uys, 2008: 905). This marginalisation tends to occur both in and outside of the workplace (Alford, 2001: 131).

### Social ostracisation

Ostracisation is an informal consequence that whistleblowers have to contend with not only in their workplace but also in their lives beyond the work

environment. We can, therefore, discern between two types of ostracisation, namely the formerly-discussed work-related ostracisation and social ostracisation.

Whistleblowers often face social ostracisation from their friends and acquaintances, who fear being implicated by association. After Stimpel's disclosure became public, she said her circle of friends began questioning her actions. In an attempt to address their concerns, she sought to meet with them in person, but none of them were willing to engage with her. This experience left her feeling overwhelmed by a sense of rejection. Stimpel stated that her former friends reacted this way out of fear, as they sought to distance themselves completely to avoid any potential implications tied to their association with her.

### Labelling

Labelling accompanies ostracisation as a form of social retaliation. An acquaintance, a colleague, or even a friend might use labels to categorise a whistleblower. These labels carry negative connotations concerned with distrusting the whistleblower, who is perceived as someone who cannot be entrusted with sensitive information. The labels often shadow the whistleblower throughout their life. The personal experiences of South African state capture whistleblowers are a testament to this.

According to both Stimpel and Wiener, a negative stigma is attached to whistleblowers in South Africa. Stimpel had first-hand experience of this, with terms such as 'snitch,' 'impimpi,' and 'rat' having been frequently used to refer to her and other whistleblowers. As a result of these labels, she felt that she became a pariah and 'an outcast.' Mothepu, like Stimpel, felt that labelling was a significant form of retaliation which she felt constituted a type of 'character assassination.'

There is also the probability that the media will portray the whistleblower in a negative light. Mothepu experienced this, with mainstream media outlets presenting a negative image of her. She recalled that they labelled her 'a fraudster, a liar, and disgruntled,' with some newspapers even creating the impression that they had interviewed her (even though they had not). She felt that her narrative was embellished and did not paint a true reflection of her experience. It

was only later that media reports, and in particular independent media reports, vindicated her and validated her claims.

### Public reprimand

During the interview with Mayisela, a distinct form of social retaliation emerged, which proved challenging to classify and categorise under a specific retaliatory theme. The narrative centred around a public reprimand, and this evoked memories of my own experience of being scolded as a schoolboy in front of my classmates.

I reflected on my experience as a twelve-year-old child of immigrants, on the absolute cusp of school social circles, with no social capital. I was a top ten elementary school student, particularly enthusiastic about mathematics. In maths class, the teacher held up a textbook and asked: 'what is this?' I eagerly responded, 'a book' (the correct answer was 'algebra'). A fifteen-minute berating (which felt like hours) ensued in the glaring presence of my peers, which included being labelled as 'the class clown and joker' (my response was not intended as a jest). So how does a schoolboy's experience relate to a state capture whistleblower's experience? It is completely different in terms of magnitude, though the underlying principle is the same.

By making a disclosure and facing the retaliation that accompanies this, a whistleblower already feels on the absolute societal cusp (as evidenced with the whistleblowers' experiences of ostracisation). Yet, having reported something so important in an attempt to remedy wrongdoing, a whistleblower would expect an acknowledgement of gratitude from, at the very least, an official inquiry. Mayisela was not thanked or lauded; he was publicly reprimanded at an official commission. The scars of a public reprimand run deep—twenty-four years later, I still resent the elementary school teacher who reprimanded me. Compared to Mayisela's experience, mine was a reprimand of insignificant proportions. His embarrassment in the glaring public's eyes will leave an everlasting imprint on him.

It is even more paradoxical as the PIC Commission of Inquiry would not have progressed if it were not for individuals like Mayisela, and the same CEO would still

have occupied his position in the PIC. Nevertheless, the Commission of Inquiry did not see his contribution positively:

*'The Commission of Inquiry never saw my contribution as being towards PIC, they saw it as untoward [the PIC]. You know, they even said I acted wrongly; I violated the ECT Act<sup>2</sup> by sending these documents to the police and all of that. How can I put PIC in detriment if I am sharing information with the police? And secondly, none of the information that I garnered from PIC was for my own benefit...'*

The reprimand was a form of social retaliation. The public reprimand is absurd and illustrates how senseless the whistleblower's disclosure experience can be, yet its tremendous effect could likely dissuade potential whistleblowers from making a disclosure.

### Retaliatory lawfare

This paper has identified a form of retaliation not previously acknowledged in literature—retaliatory lawfare. Retaliatory lawfare is when extended hostile legal action is used against a whistleblower. This entails misappropriating the legal framework so that whistleblowers suffer detriments, such as the perpetual delay of final outcomes and the subsequent accrual of exorbitant legal costs. Mothepu said that Trillian's most common retaliatory weapon used against her was lawfare. They accused her of cybercrime, extortion, fraud, contravention of her employment contract, theft of confidential information, perjury, and defeating the ends of justice (Mothepu, 2021: 110). Her criminal case was put 'on top of the heap,' despite the many allegations against those perpetrating state capture, yet the legal structures instead focused on prosecuting Mothepu. She said that the charges against her were 'hot air' to drive attention away from the actual wrongdoers.

Lawfare has been used to delay an outcome in the whistleblowers' legal proceedings and accumulate their legal costs. It has also entailed the use of the legal system to arrest whistleblowers.

### Delaying strategies

Wrongdoers utilise retaliatory lawfare to delay or

avoid an outcome, in order to further impede the whistleblower's attempts at closure after blowing the whistle, or to force the whistleblower into a compromise with the wrongdoer. SAA used delaying strategies that made Stimpel waste a lot of time. As a by-product of these delaying strategies, her lawyers recommended that she accept six months' compensation and an early retirement. She compromised with this decision but felt that this was a forced outcome that made her 'give up.'

In Sadie's case, although he emerged victorious, his former employers employed various delaying tactics to prolong the resolution process. He encountered months of delays caused by subsequent appeals filed by the opposing party. Similarly, Breytenbach had to endure three years facing dubious charges brought forth by the very individuals she had blown the whistle on. Mothepu also faced a lengthy sixteen-month period defending herself against allegations.

All of these cases have had significant impacts on the whistleblowers. Kenny and Fotaki (2019: 22) identified these impacts as intangible costs that affect one's family life. This, most frequently, means that whistleblowers lose time with their spouses and children. The accompanying psychological effects can be devastating. In addition, these delays significantly increase the financial costs that whistleblowers have to deal with.

### **Accrual of costs**

Wrongdoers utilise the strategy of retaliatory lawfare with the knowledge that lengthy legal proceedings, resulting from delaying strategies, accrue massive legal costs for those involved in the proceedings. Whistleblowers are generally financially disempowered as a result of post-disclosure unemployment. On the other hand, the wrongdoers tend to possess deep financial reserves (being private corporations and SOEs) and, therefore, have the capacity to further torment whistleblowers with mounting legal costs.

To defend herself against accusations of the breach of her confidentiality agreement, Mothepu resorted to taking legal action against her former employer, bringing the case before the Council for Conciliation, Mediation, and Arbitration (CCMA). Unfortunately, this

legal process resulted in Mothepu accumulating R1.3 million in legal expenses. Mothepu raised concerns about her ability to cover these substantial costs, considering she was unemployed and without a regular income. Eventually, Mothepu was contacted by a state official who informed her that her case needed to be expedited due to the sensitive 'political situation' surrounding it.

A labour lawyer defended Stimpel against the charges of insolence, both at the Labour Court and the CCMA. She spent many hours with her labour lawyer in preparation for her defence, where she was charged a highly discounted fee.

Breytenbach was charged in a criminal court for the same charges she faced in her internal disciplinary proceedings, with the disciplinary charges having already been proven as false. She reflected that her defence cost her around R14 million, despite the fact that there was no substantial case against her, and she was eventually cleared of all criminal charges.

### **Detainment**

The most extreme manifestation of retaliatory lawfare occurs when whistleblowers are subjected to arrests. This involves the malicious exploitation of legal measures within the framework to unjustly apprehend individuals who have exposed wrongdoing. On 6 February 2019, the priority crimes unit, the Hawks, arrested several individuals based on a ten-year-old fraud and corruption investigation into Bosasa (Styan and Vecchiatto, 2019: 217). Only a few days prior, three of those individuals (Agrizzi, and Bosasa executives Andries van Tonder and Frans Vorster) had concluded their testimonies at the Zondo Commission (Styan and Vecchiatto, 2019: 218).

Styan and Vecchiatto (2019: 220) were critical of the Hawks, stating that it took them ten years to arrest someone within Bosasa and when the arrests were eventually made, it was the whistleblowers testifying before the Zondo Commission who were arrested. Gavin Watson, who was repeatedly implicated by whistleblowers as the primary wrongdoer in Bosasa, remained free (Styan and Vecchiatto, 2019: 218). Due to this, Agrizzi opted not to testify at the subsequent Mokgoro Commission<sup>3</sup> (Styan and Vecchiatto, 2019: 220). Agrizzi maintained that the purpose of these

arrests was to sabotage the Zondo and Mokgoro commissions (Styan and Vecchiatto, 2019: 220). He felt that '[t]he whole thing was a set-up' and claimed that it resulted in many people, who intended to blow the whistle, going silent (Styan and Vecchiatto, 2019: 220). The retaliation faced by Bosasa whistleblowers was so severe that it dissuaded not only these whistleblowers from engaging in further exposures but it also deterred prospective future Bosasa whistleblowers. Here, detainment as a form of retaliatory lawfare was successfully used to discourage potential disclosures.

### Physical retaliation

Physical retaliation is the severest form of reprisal that a whistleblower can be subjected to. Uys (2022: 119–120) detailed several physical retaliation cases in South Africa revolving around corruption in state organs. Upon analysing these cases, it became evident that physical retaliation can be defined as a deliberate and premeditated act of physically assaulting the whistleblower, often involving the use of a weapon, or threatening to cause physical harm. The potential for physical injuries or even death instils a profound sense of fear and apprehension in the whistleblower. As a result, the whistleblower is forced to live in constant fear for their life as a direct outcome of their decision to come forward (Uys, 2022: 119).

Vytjie Mentor, who disclosed that she was offered a ministerial position by the Gupta family (Madonsela,

2016: 88), feared physical retaliation because of her disclosure. She claimed that the Gupta brothers had 'frightened her with issues around her safety' (Lekabe, 2018). Similarly, whistleblowers interviewed for this study lived with these fears of physical retaliation. Mayisela received many threatening telephone calls, with his family members also being threatened. However, nothing more than threats occurred. Mothepu felt that her safety had been compromised. Because of this, she increased her home and personal security:

*'I had to get these Trellidors<sup>4</sup>, had to get security. I needed a security person to come and do an assessment on my house.'*

In order to ensure her safety, Mothepu takes precautions such as avoiding the same travel routes, varying her routine, and keeping her cell phone's location turned off. She harbours a fear of motorbikes in traffic, as assassins often use this method to make attempts on people's lives.

Following Breytenbach's disclosure, she encountered physical retaliation on three separate occasions. She was forcefully driven off the road once and subjected to gunfire on two occasions. Intriguingly, Branko Brkic, the editor of the Daily Maverick, also experienced a similar life-threatening incident. This prevailing concern was shared among members of amaBhungane and the Daily Maverick during the publication of the Gupta Leaks story, as they feared the possibility of fatal consequences for individuals like Stan and John.

The assassination of Babita Deokaran (who blew the whistle on the misuse of the Covid-19 pandemic equipment and relief funds) presents the worst possible outcome for the whistleblower. After dropping her child off at school, Babita was gunned down in a rain of bullets in front of her house. She was about to implicate top government health officials involved in a criminal syndicate at the forefront of Covid-19 PPE procurement fraud. (Cruywagen, 2021). There are also several cases of state capture whistleblowers who lost their lives. Moses Thake died after being kidnapped and tortured, and Philemon Ngwenya was murdered in his own home (Uys, 2022: 120). Both whistleblowers detailed the fraudulent diversion of state funds to Gupta-linked Estina dairy farm. Most recently, Cloete

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**“ The potential for physical injuries or even death instils a profound sense of fear and apprehension in the whistleblower. As a result, the whistleblower is forced to live in constant fear for their life as a direct outcome of their decision to come forward ”**

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and Thomas Murray, a father and son duo who were liquidators for Bosasa tasked with further detailing the criminal activity of the firm, were assassinated by gunmen whilst driving their vehicle (Horti, 2023).

The reasons standing behind these severe and varied forms of retaliation are grounded in unequal power dynamics. In captured states, the powerholder develops the ability to hinder, disgrace and dismantle political opponents with relative ease (Longhurst, 2016: 152), due to having accrued a disproportionate degree of power. The powerholders, who in this case were the wrongdoers, exercised this power over the whistleblowers who wished to place the knowledge of the wrongdoing into the public domain. As the powerful wrongdoers became fully aware that these disclosures would have dire consequences for their positional security, they acted to mobilise their resources and retaliate against the whistleblowers in an attempt to silence them. Thus, they used power plays as a political manoeuvre to exert power over others, and as 'an aggressive attempt to compel acquiescence by the concentration or manipulation of power' (Isaeva and Crawford, 2022: 250).

## Conclusion

It is evident from South African state capture whistleblowers' experiences that, much like Riggan from Birdman, they were ignorant of the possible consequences of blowing the whistle but virtuous because of their ignorance. They changed South Africa's socio-political landscape, for the better, by exposing state capture. Their narratives showed that this came at immense personal costs for them. They were, therefore, ignorant of both the costs that their disclosures would have on their lives and the broader impact that their disclosures would have on South African society.

Their narratives indicate that the present situation for whistleblowers in South Africa does not inspire optimism. Work-related retaliation is abundant, with trumped-up disciplinary proceedings and the resultant loss of work being commonplace. Many whistleblowers, then, face workplace spillover by being rendered unemployable once they are forced out of the organisation where they blew the whistle. They also face work-related ostracisation post-disclosure, often being ignored by colleagues. Retaliation

also seeps into non-work-related environments, with whistleblowers facing an abundance of social retaliation. They are, again, ostracised but now by friends, labelled, and might even face absurd but belittling public reprimands. Retaliatory lawfare plays a prominent role in South Africa, with South African whistleblowers being unfairly subjected to the South African legal system. Outcome delaying strategies are used in order to mount costs for the whistleblowers, and the legal framework can also be misappropriated to detain whistleblowers post-disclosure. The worst form of retaliation that a whistleblower can face is that of physical retaliation. This, unfortunately, is a reality for South African whistleblowers, with many of them living in fear of physical retaliation, some having experienced physical retaliation, with even a few having lost their lives due to physical retaliation.

Some whistleblowers have, however, exercised their agency post-disclosure. Cynthia Stimpel is at the forefront of offering support to South African whistleblowers through the civil society organisation The Whistleblower House, Glynnis Breytenbach continues to champion the cause of a free NPA, and Simphiwe Mayisela offers cyber security consultation through his own firm.

However, what the experiences of these whistleblowers ultimately confirm is that South African whistleblowers are offered very little protection throughout the disclosure process. For, if there were a presence of adequate legislative protection, the occurrence of retaliation would likely be far less frequent and severe. This is also evidenced by the recurrent involvement of civil society in supporting whistleblowers in South Africa.

For the situation to improve for South African whistleblowers, whistleblower protection legislation would need to be revised to meet adequate standards. Since revising, and implementing, any piece of legislation is a lengthy process, an immediate mechanism would need to be employed in the interim (one which would still remain in effect after legislative revision). This would entail an accountability system, namely a central state institution for whistleblower support.

Such an institution would prove useful as some whistleblowers struggle to access support from

civil society, with support also being fragmented among many organisations. The central state institution would, then, collaborate with civil society organisations to offer accessible and comprehensive support to whistleblowers.

The central state institution, with the aid of civil society organisations, could also conduct an exploration of the full psychological effect that disclosure has had on South African whistleblowers. This would present a sufficient base of data to develop future whistleblower counselling support programmes. A framework could, thus, be established on creating structured, accessible counselling services that fit with the idiosyncrasy of the whistleblowers.

In conclusion, whistleblowers cannot be solely reliant on individual agency. The impetus needs to lie with the South African state, with input from civil society, to protect and support the South African whistleblower in the face of retaliation. This would ensure that future whistleblowers would not be subjected to the degree of retaliation that the whistleblowers in this study experienced.

## Notes

1. A South African derogatory term deriving from Xhosa, Zulu, and English and carrying the meaning of being a police informer or collaborator.
2. The Electronic Communications and Transactions Act 25 of 2002 makes provision for 'the facilitation and regulation of electronic communications and transactions' (Electronic Communications and Transactions Act, 2002: 2).
3. The Mokgoro Commission, led by Justice Yvonne Mokgoro, was a commission of inquiry into the fitness of Nomgcobo Jiba and Lawrence Mrwebi to hold office at the NPA. It produced a 140-page report that criticised Jiba and Mrwebi, finding them dishonest and lacking in integrity and, therefore, being unfit to remain in office (Ramphele, 2019).
4. Trellidors are high-quality, South African made, security doors and burglar-proof bars.

## References

- Åkerström, M. (1991). *Betrayal and Betrayers: The Sociology of Treachery*. New Brunswick, NJ and London: Transaction Publishers.
- Alford, C.F. (2002). *Whistleblowers: Broken Lives and Organizational Power*. New York, NY: Cornell University Press.
- Bagashka, T. (2014). 'Unpacking Corruption: The Effect of Veto Players on State Capture and Bureaucratic Corruption.' *Political Research Quarterly*, 67(1): 165–180.
- Ball-Rokeach, S.J. (1980). 'Normative and Deviant Violence from a Conflict Perspective.' *Social Problems*, 28(1): 45–62.
- Bashir, S., Khattak, H.R., Hanif, A. and Chohan, S.N. (2010). 'Whistle-blowing in Public Sector Organizations: Evidence from Pakistan.' *The American Review of Public Administration*, 41(3): 285–296.
- Basson, A. and du Toit, P. (2017). *Enemy of the People: How Jacob Zuma Stole South Africa and How the People Fought Back*. Jeppesstown, Johannesburg: Jonathan Ball Publishers.
- Beall, J., Gelb, S. and Hassim, S. (2005). 'Fragile Stability: State and Society in Democratic South Africa.' *Journal of Southern African Studies*, 31(4): 681–700.
- Bester, D. and Dobovšek, B. (2021). 'State Capture: Case of South Africa.' *NBP. Nauka, Bezbednost, Policija*, 26(1): 73–87.
- Bhorat, H., Buthelezi, M., Chipkin, I., Duma, S., Mondli, L., Peter, C., Qobo, M., Swilling, M. and Friedenstein, H. (2017). *Betrayal of the Promise: How South Africa is Being Stolen*. Stellenbosch: State Capacity Research Project (Convenor Mark Swilling).
- Bieber, F. (2003). 'Montenegrin Politics since the Disintegration of Yugoslavia.' In: Bieber, F. (Editor). *Montenegro in Transition: Problems of Identity and Statehood*. Baden-Baden: Nomos Verlagsgesellschaft.
- Bjørkelo, B., Ryberg, W., Matthiesen, S.B. and Einarsen, S. (2008). 'When You Talk and Talk and Nobody Listens: A Mixed Method Case Study of Whistleblowing and its Consequences.' *International Journal of Organisational Behavior*, 13(2): 18–40.
- Breytenbach, G. and Brodie, N. (2017). *Rule of Law: A Memoir*. Northlands, Johannesburg: Pan Macmillan South Africa.
- Comrie, S. (2017). 'Whistleblower: How Gupta-linked Firm Scored Big by Connecting Officials and Consultants.' *Fin24* [online]. Available at: [www.fin24.com/Companies/Investment-Holdings/whistleblower-how-gupta-linked-firm-scored-big-by-connecting-officials-and-consultants-20170927](http://www.fin24.com/Companies/Investment-Holdings/whistleblower-how-gupta-linked-firm-scored-big-by-connecting-officials-and-consultants-20170927)
- Cortina, L.M. and Magley, V.J. (2003). 'Raising Voice, Risking Retaliation: Events Following Interpersonal Mistreatment in the Workplace.' *Journal of Occupational Health Psychology*, 8(4): 247–265.
- Cruywagen, V. (2021). 'Slain Whistle-blower Babita Deokaran Potentially Unveiled a Criminal Syndicate at the Department of Health.' *Daily Maverick* [online]. Available at: [www.dailymaverick.co.za/article/2021-08-28-slain-whistle-blower-babita-deokaran-potentially-unveiled-a-criminal-syndicate-at-the-department-of-health/](http://www.dailymaverick.co.za/article/2021-08-28-slain-whistle-blower-babita-deokaran-potentially-unveiled-a-criminal-syndicate-at-the-department-of-health/)
- Darley, J.M. and Latané, B. (1968). 'Bystander Intervention in Emergencies: Diffusion of Responsibility.' *Journal of Personality and Social Psychology*, 8(4): 377–383.
- Davis, M. (1989). 'Avoiding the Tragedy of Whistleblowing.' *Business and Professional Ethics Journal*, 8(4): 3–19.
- Desai, A. (2018). 'The Zuma Moment: Between Tender-based Capitalists and Radical Economic Transformation.' *Journal of Contemporary African Studies*, 36(4): 499–513.
- Dlamini, P. (2019). 'Zuma Says Gupta Newspaper and TV Station Was His Idea.' *The Sowetan* [online]. Available at: [www.sowetanlive.co.za/news/south-africa/2019-07-15-zuma-says-gupta-newspaper-and-tv-station-was-his-idea/](http://www.sowetanlive.co.za/news/south-africa/2019-07-15-zuma-says-gupta-newspaper-and-tv-station-was-his-idea/)
- Dlamini, S. (2019). '#PICInquiry: En Masse Resignation Could Have Cost PIC its Fais Licence.' *IOL* [online]. Available at: [www.iol.co.za/business-report/economy/picinquiry-en-masse-resignation-could-have-cost-pic-its-fais-licence-19537703](http://www.iol.co.za/business-report/economy/picinquiry-en-masse-resignation-could-have-cost-pic-its-fais-licence-19537703)
- Dlulane, B. (2018). 'Currin: SA Owes Huge Debt to Whistleblowers for Gupta Leaks Emails.' *Eyewitness News* [online]. Available at: [ewn.co.za/2018/09/28/currin-sa-owes-huge-debt-to-whistleblowers-for-gupta-leaks-emails](http://ewn.co.za/2018/09/28/currin-sa-owes-huge-debt-to-whistleblowers-for-gupta-leaks-emails)
- Fazekas, M. and Tóth, I.J. (2016). 'From Corruption to State Capture: A New Analytical Framework with Empirical Applications from Hungary.' *Political Research Quarterly*, 69(2): 320–334.

- Forsyth, D.R. (2014). *Group Dynamics* (6<sup>th</sup> edition). New York, NY: Wadsworth, Cengage Learning.
- Fragile States Index. (2022). 'Fragility in the World 2022.' Washington, DC, USA: *The Fund for Peace* [online]. Available at: [fragilestatesindex.org](http://fragilestatesindex.org)
- Gao, J., Greenberg, R. and Wong-On-Wing, B. (2015). 'Whistleblowing Intentions of Lower-Level Employees: The Effect of Reporting Channel, Bystanders, and Wrongdoer Power Status.' *Journal of Business Ethics*, 126: 85–99.
- Greffrath, W.N. (2015). 'State Dysfunction: The Concept and its Application to South Africa.' Doctoral Thesis, North-West University.
- Head, T. (2018). 'Whistleblowers Behind #GuptaLeaks Reveal Zuma Pushed Them Over the Edge.' *The South African* [online]. Available at: [www.thesouthafrican.com/news/whistleblowers-guptaleaks-zuma/](http://www.thesouthafrican.com/news/whistleblowers-guptaleaks-zuma/)
- Hoffman, P. (2022). 'By George, She's Got It! The DA's Breytenbach Lauded for Supporting Radical Reform of the NPA.' *Daily Maverick* [online]. Available at: [www.dailymaverick.co.za/opinionista/2022-02-24-by-george-shes-got-it-the-das-breytenbach-lauded-for-supporting-radical-reform-of-the-npa/](http://www.dailymaverick.co.za/opinionista/2022-02-24-by-george-shes-got-it-the-das-breytenbach-lauded-for-supporting-radical-reform-of-the-npa/)
- Horti, S. (2023). 'Cloete Murray: South African Corruption Investigator Shot Dead.' *BBC News* [online]. Available at: [www.bbc.com/news/world-africa-65007942](http://www.bbc.com/news/world-africa-65007942)
- Hyslop, J. (2005). 'Political Corruption: Before and After Apartheid.' *Journal of Southern African Studies*, 31(4): 773–789.
- Iñárritu, A.G. (2014). *Birdman or (The Unexpected Virtue of Ignorance)*. Los Angeles, CA: Fox Searchlight Pictures.
- Isaeva, E. and Crawford, R. (2022). 'Terminology for Cognitive Transdiscursive Mediation in American Football.' In Isaeva, E. (editor). *Specialized Knowledge Mediation Ontological & Metaphorical Modelling*. Cham: Springer Nature Switzerland.
- Keashly, L. and Neuman, J.H. (Editors). (2008). *Workplace Behavior (Bullying) Project Survey*. Mankato, MN: Minnesota State University.
- Kenny, K. and Fotaki, M. (2019). *Post-disclosure Survival Strategies: Transforming Whistleblower Experiences*. Galway: NUI Galway.
- Kenny, K., Fotaki, M. and Scriver, S. (2019). 'Mental Health as a Weapon: Whistleblower Retaliation and Normative Violence.' *Journal of Business Ethics*, 160: 801–815.
- Lekabe, T. (2018). 'Vytjie Mentor: Guptas Offered my Son a Cricket Bat.' *SA Life* [online]. Available at: [salife.co.za/vytjie-mentor-guptas-offered-my-son-a-cricket-bat/](http://salife.co.za/vytjie-mentor-guptas-offered-my-son-a-cricket-bat/)
- Lodge, T. (1998). 'Political Corruption in South Africa.' *African Affairs*, 97(387): 157–187.
- Longhurst, K. (2016). 'Implementing the DCFTA in the Context of State Capture: Assessing the Position of Small and Medium Enterprises.' *Eastern Journal of European Studies*, 7(2): 145–164.
- Madonsela, T. (2016). *State of Capture*. Report No: 6 of 2016/17. Pretoria: A Report of the Public Protector.
- Mahlaka, R. (2019a). 'PIC Inquiry: Dan Matjila—The Funding Middleman Between the ANC and PIC Beneficiaries.' *Business Maverick* [online]. Available at: [www.dailymaverick.co.za/article/2019-07-10-pic-inquiry-dan-matjila-the-funding-middleman-between-the-anc-and-pic-beneficiaries/](http://www.dailymaverick.co.za/article/2019-07-10-pic-inquiry-dan-matjila-the-funding-middleman-between-the-anc-and-pic-beneficiaries/)
- Mahlaka, R. (2019b). 'PIC Inquiry: Gigaba Implicated in Hand-picking PIC Board Members at the Height of State Capture.' *Daily Maverick* [online]. Available at: [www.dailymaverick.co.za/article/2019-07-10-pic-inquiry-gigaba-implicated-in-hand-picking-pic-board-members-at-the-height-of-state-capture/](http://www.dailymaverick.co.za/article/2019-07-10-pic-inquiry-gigaba-implicated-in-hand-picking-pic-board-members-at-the-height-of-state-capture/)
- Martin, G.R.R. (1996). *A Game of Thrones: Book One of A Song of Ice and Fire*. New York, NY: Bantam Books.
- Miceli, M.P., Near, J.P. and Dworkin, T.M. (2008). *Whistle-blowing in Organizations*. New York, NY: Routledge.
- Mothepu, M. (2021). *Uncaptured: The True Account of the Nenegate/Trillion Whistleblower*. Cape Town: Penguin Books.
- Myburgh, P.-L. (2017). *The Republic of Gupta: A Story of State Capture*. Cape Town: Penguin Random House South Africa.
- Nay, O. (2013). 'Fragile and Failed States: Critical Perspectives on Conceptual Hybrids.' *International Political Science Review*, 34(3): 326–341.
- Near, J.P. and Miceli, M.P. (1985). 'Organizational Dissidence: The Case of Whistleblowing.' *Journal of Business Ethics*, 4: 1–16.
- Ntsabo, M. (2019). 'Duduzane Zuma: I Set Up the Meeting Between the Guptas & Jonas.' *Eyewitness News* [online]. Available at: [www.msn.com/en-za/money/politics/duduzane-zuma-i-set-up-the-meeting-between-the-guptas-and-jonas/ar-AAlozHq?ocid=spartanntp](http://www.msn.com/en-za/money/politics/duduzane-zuma-i-set-up-the-meeting-between-the-guptas-and-jonas/ar-AAlozHq?ocid=spartanntp)
- Pauw, J. (2017). *The President's Keepers: Those Keeping Zuma in Power and out of Prison*. Cape Town: Tafelberg.
- PIC Commission. (2019). 'Our Mandate.' *PIC Commission* [online]. Available at: [www.justice.gov.za/commissions/pic/](http://www.justice.gov.za/commissions/pic/)
- Ramphele, L. (2018). 'Lawyer Testifies on 300,000 Emails Known as the "Gupta Leaks".' *702* [online]. Available at: [www.702.co.za/articles/320890/lawyer-testifies-on-300-000-emails-known-as-the-gupta-leaks](http://www.702.co.za/articles/320890/lawyer-testifies-on-300-000-emails-known-as-the-gupta-leaks)
- Ramphele, L. (2019). 'Mokgoro Commission Recommends that Jiba and Mrwebi be Fired From NPA.' *702* [online]. Available at: [www.702.co.za/articles/346100/mokgoro-commission-recommends-that-jiba-and-mrwebi-be-fired-from-npa](http://www.702.co.za/articles/346100/mokgoro-commission-recommends-that-jiba-and-mrwebi-be-fired-from-npa)
- Rothschild, J. (2008). 'Freedom of Speech Denied, Dignity Assaulted: What the Whistleblowers Experience in the US.' *Current Sociology*, 56(6): 884–903.
- Sadie, A. (2019). *Statement Before the Judicial Commission of Enquiry into Allegations of Impropriety Regarding the Public Investment Corporation (PIC)*. Pretoria, South Africa.
- Schreier, M. (2018). 'Sampling and Generalization.' In Flick, U. (editor). *The SAGE Handbook of Qualitative Data Collection*. London and Thousand Oaks, CA: SAGE Publications Limited and SAGE Publications Incorporated.
- Shoba, S. (2018). 'Hawks Go After Themba Maseko.' *Sunday Times* [online]. Available at: [www.timeslive.co.za/news/2018-07-21-hawks-go-after-themba-maseko/](http://www.timeslive.co.za/news/2018-07-21-hawks-go-after-themba-maseko/)
- Smith, N. and Thomas, E. (2015). 'The Role of Foreign Direct Investment and State Capture in Shaping Innovation Outcome in Russia.' *Europe-Asia Studies*, 67(5): 777–808.
- South Africa, Republic of. (2002). *Act No. 25 of 2002: Electronic Communications and Transactions Act*, 2 August 2002. Cape Town: Government Gazette 446(23708).
- Stimpel, C. (2021). *Hijackers on Board: How One Courageous Whistleblower Fought Against the Capture of SAA*. Cape Town: Tafelberg.
- Styan, J.-B. and Vecchiato, P. (2019). *The Bosasa Billions: How the ANC Sold its Soul for Braaipacks, Booze and Bags of Cash*. Pretoria: LAPA Publishers.
- Sundaram, R. (2018). *Indentured: Behind the Scenes at Gupta TV*. Auckland Park, Johannesburg: Jacana Media.
- Uys, T. (2014). 'Riding Off into the Sunset? Establishing an Inclusive Post-Apartheid South African Community.' In: Fritz, J.M. and Rhéaume, J. (Editors). *Community Intervention: Clinical Sociology Perspectives*. New York, NY: Springer Science+Business Media.
- Uys, T. (2022). *Whistleblowing and the Sociological Imagination*. New York, NY: Palgrave Macmillan.
- Uzelac, S. (2003). 'Corruption in Transition Countries: "How to Capture a State"—The Example of Montenegro.' *SEER: Journal for Labour and Social Affairs in Eastern Europe*, 6(1/2): 103–116.
- Van Vuuren, H. (2017). *Apartheid, Guns and Money: A Tale of Profit*. Auckland Park, Johannesburg: Jacana Media.
- Van Zyl, G. (2017). 'Sage's Firing of Whistleblower Bianca Goodson: Here's 7 Unanswered Questions.' *BizNews* [online]. Available at: [www.biznews.com/undictated/2017/10/17/sage-firing-bianca-goodson](http://www.biznews.com/undictated/2017/10/17/sage-firing-bianca-goodson)
- Wiener, M. (2020). *The Whistleblowers*. Northlands, Johannesburg: Pan Macmillan South Africa.
- World Bank, The. (2000). *Anticorruption in Transition: A Contribution to the Policy Debate*. Washington, DC: The International Bank for Reconstruction and Development / The World Bank.